

REGULAR JANUARY 11th, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers, at the Courthouse, Parowan, Utah, January 11th, 1982.

Officers attending were:

Dee G. Cowan, Commission Chairman
Howard D. Knight, Commissioner
James L. Clark, Commissioner
Carma S. Hulet, Deputy Clerk
James L. Shumate, Attorney

Invocation: Howard D. Knight.

Minutes of previous meeting read and approved.

In the nature of reorganization for the new year, a motion was unanimously passed which was made by Commissioner, James L. Clark, And seconded by Commissioner, Dee G. Cowan, naming Howard D. Knight as Chairman.

SOLID WASTE

PICKUP : A request was made by Glendon Heaton and Ray Woodard for forms on which to make application for waiver of solid waste disposal service.

FLOOD

MATTER : Mr. Cressal Sherratt, representative of the Coal Creek Irrigation Company, appeared for purpose of voicing his concerns over the fact that homes are being constructed within the bounds of the natural flood channel for Coal Creek. A considerable discussion ensued with respect to the general scope of the matter, resulting:

(a) Mr. Sherratt, by and with the assistance of Jerry Bryant, agreeing to prepare a map of the critical area for use as a guide by the Planning Commission, in considering the establishment of subdivisions within the potential or known flood zones.

(b) The County Attorney being instructed to determine responsibility for flood waters.

(c) The irrigation company being reminded of their responsibility to keep primary irrigation ditches clean.

BUILDING

INSPECTION : Mr. Steve Grimshaw, County Assessor, appeared before the Board for purpose of describing for them the deficiencies of the County's existing building inspection program, in light of additional demands being made by the Planning Commission, and to probe possible future means of alleviating the situation. No firm action was taken, however.

TAX

MATTER : Mr. Del Rich appeared relative to an action recently taken by the Board relative to his appeal for tax relief in connection with some of his subdivided property, which had not been developed and which was not selling. Complaining that the results of the said action was not as he had contemplated it would be.

After a brief discussion, the Commissioners agreed to stand on previous decision.

SALARY

MATTER : Cora J. Hulet, County Recorder, met the Commissioners for purpose of presenting a job description and/or classification for all positions in her department, with the idea that to do so will place Robert Dalley, Plat Department Supervisor, into the job and salary classification to which he is entitled. Some discussion was had with respect to the matter, but no firm action was taken.

PRIVATE

INVESTIGATOR : Willard R. Bishop, Esq, request for the hiring of a private investigator for assisting in the defense of defendants charged with a criminal offense under criminal case no. 780, came on for consideration. Upon recommendation of of County Attorney, James L. Shumate; Deputy Sheriff, Richard Payton was appointed as the investigator. Iron County to pay travel and other necessary expenses in addition to his regular salary.

ADJUSTMENTS : Dennis Lowder, County Auditor, requested and received authorization to make Interdepartmental Budget Adjustments in accordance with provisions of law.

JAIL

CONTRACTS : Following a brief discussion concerning the advisability and possibility of terminating contracts with Burrows-Smith Financial Consultants, and Edwards and Daniels, Architectual Firm, the matter was left with James L. Shumate, County Attorney, for investigation and recommendation. It was also decided to probe the possibility of the State of Utah being willing and able to come up with some front money to cover costs of facilities for departments for which they are responsible, should it be desirable to include space for them in a contemplated new jail facility if and when it is firmed up.

ENGINEER

REPORT : Mr. Ralph B. Platt, Engineer, made a report to the Board on the status of the Wood Ranch Survey, and on the County Land-fill, after six months operation. Mr. Platt also discussed and made recommen-

dation to the Board concerning perpetuating old survey corners, including such items as funding and procedure. No firm action was taken, however.

INDUSTRIAL

PROMOTION : Mr. Greg Fensef, representative of the Five County Association of Governments, made an unannounced appearance for the purpose of obtaining a picture of the Commission for use in connection with an Industrial brochure being prepared by the association. For his benefit, even though he claimed no responsibility for action taken, he was informed that the Iron County Commissioners were not in accord with recent action taken by the A O G with respect to Industrial Development, more specifically the setting up of such a department headed by Ralph Starr as promoter with a \$100,000.00 per year budget. In essence and effect the transferring of Starr and his office from the M X Policy Board, upon its abandonment, to the five County Association of Governments. Concerns were also expressed relative to the apparent fact that funds allocated and earmarked for M X impact mitigation and not now needed for purpose for which appropriated, were being used, rather than being refunded to source. There was some indication that the Board may ask the County Attorney to look into the possibility of any legal implications.

ZONING

CHANGES : A number of zoning changes recommended to the Commissioners by the Planning Commission for confirmation, were called on for consideration. In connection with these items, Worth Grimshaw, President of the Enoch Town Board, and Georgia Ruth Thompson, Chairman of the Cedar City Planning Commission, were present and participated. The items and the order of consideration were as follows:

No. 1, The application of Phillip Carter, Etux, for changes of 10 acres of land on Bulldog Road from R 5 to a C 1.

Matter tabled to the next meeting to permit Worth Grimshaw, and Georgia Beth Thompson to report to their respective agencies.

No. 2, The application of Joseph Miner, Etux, for change of a 1 acre tract, also on Bulldog Road from R 5 to C 1.

This item was also tabled for consideration at the next meeting, and for the same cause and reason as number 1.

No. 3, The application of Bravo Company and Moroni Sanders and Sons for a change in the Sunset Subdivision from an A 20 to An R 5, there being no objections, was confirmed.

The carry over from the previous meeting of the William Behring application for a change from an A 20 to ^RA 5, was again called up for consideration, and the previous concerns of the Board having been resolved, the action by the Planning Commission with respect to this item, was confirmed upon applicants being admonished to bring themselves, if not already, in conformity with County

subdivision regulations.

COMMISSION

ORGANIZATION : Departmental assignments among the Commissioners for calendar year 1982, were considered, and by unanimous consent, established as follows:

Howard D. Knight, Chairman

- A. Governmental relations.
- B. Exhibits and shows.
- C. Public Health and Welfare.

Dee G. Cowan, Commissioner

- A. County libraries.
- B. County Road.
- C. Public safety.

James L. Clark, Commissioner

- A. Advertising.
- B. Agriculture.
- C. Recreation.
- D. Planning and Zoning.

FLOOD

INSURANCE : Some discussion was had with James L. Shumate, County Attorney, regarding the preparation and adoption of an ordinance deemed to be necessary to qualify the residents of Iron County to purchase low cost flood insurance. The County Attorney agreed to direct the Board in taking the appropriate and apparently necessary action.

QUIT CLAIM DEED

AUTHORIZED : The matter of closing out the deal hertofore made with Jay Overson in settlement of the Woods Ranch property conflict between that of Iron County and Mr. Overson, which surfaced through recent surveys of the area, was brought on for further consideration. Following a brief review of the status of the matter, a motion was duly passed, which was made by Commissioner, Dee G. Cowan, and seconded by Commissioner, James L. Clark, authorizing the issuance of a Quit Claim Deed to Jay Overson and wife, covering the following described property, for a cash consideration of \$500.00:

BEGINNING at a point on the South line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 37 South, Range 9 West, SLB&M, which bears North 89 Degrees 42' 58" West 650.0 feet from the Southeast Corner hterof, Thence North 89 Degrees 42' 58" West 125.0 feet, North 10.5 feet, South 89 Degrees 42' 58" East 125 feet, South 10.5 feet to beginning and containing 0.030 acres of land.

RIGHT-OF-WAY
EASEMENT

: James L. Shumate, County Attorney, presented for and on behalf of Mike Flinspach of Modena, Utah, a proposed Right-of-Way Grant of Easement and Agreement. The proposal being that Iron County, through its Board of Commissioners, grant to Mr. Flinspach an easement for a waterline to run along the existing old Stateline Road Right-of-Way wherein it lies within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, Township 32 South, Range 19 West, SLB&M.

After review, a motion was unanimously passed, which was made by Commissioner, James L. Clark and seconded by Chairman, Howard D. Knight, authorizing Commissioner, Dee G. Cowan, Chairman at date of application and tentative consideration, to execute the document for and on behalf of Iron County.

APPOINTMENTS: A letter was received from Leora Bammes, Council on Aging Coordinator, requesting the appointment and/or reappointment of the following persons as members of the Council:

Jim Cotts, term to run to January 28, 1985.


Rulon Woodbury, term to run to January 28, 1985.

Maree Prince, term to run to January 28, 1985.

After due deliberation, the request was granted.

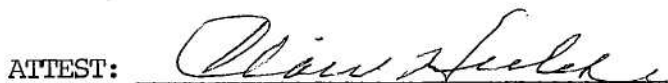
After bills against the County had either been approved or rejected, the meeting was adjourned.

APPROVED:



Chairman

ATTEST:



Clerk

REGULAR JANUARY 25th, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commissioner Chambers at the Courthouse, Parowan, Utah, January 25th, 1982, beginning at the hour of 9:00 a. m.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: Dee G. Cowan.

Minutes of previous meeting read and approved.

TAX MATTERS : Mr. Steve Grimshaw, County Assessor, appeared relative to a complaint and a request received from Ranchers Exploration Company, relative to recent tax action taken by his department with regard to land recently purchased by them and identified by serial number E-1421-22. This property having heretofore been classified as "Green Belt" under ownership of the Grantor, who, upon sale to the said Grantee, withdrew his applicaiton, and no immediate application and approval having been consumated by the Grantees accordingly a "roll back" assessment was levied and subsequent assessment of the subject property made under classification other than "Green Belt". Now comes the Grantee Corporation, Ranchers Exploration Company, requesting that the property be restored to its "Green Belt" status, and the roll-back assessment be waived. The matter was discussed and continued pending review by and with the County Attorney.

Mr. W. A. Henyan of Escalante Valley, appeared for the purpose of entering further complaint regarding the assessed valuation of his property identified by serial number E1-1293-14, and again requesting that some relief be given.

A considerable discussion ensued, concluding with a suggestion by the Board that Mr. Henyan take necessary steps to have the subdivision within which his property is located vacated, in order to eliminate the necessity of its being assessed under a subdivision status. Indicating that then and only then would they be able to grant to any degree his request for relief.

BUILDING INSPECTION: Mr. Antone Robinson, representing the Utah Tax Commission of business Regulation, and Mr. Alan DeMille, part time County Building Inspector, met the Commissioners in an attempt to obtain Council on, and clarification of County policy relative to administration and enforcement of County building inspection and regulations, and other related matters.

Their presentation consisted fo voluminous suggestions, observations and questions. In sum and substance, however, they wished to know as to whether or

not the Board wished to uniform building code, heretofore adopted, enforced in its entirety, and if so, what they wished to establish as the effective date. Following a general discussion of the subject matter, while the Commissioners did indicate a favorable attitude toward strict enforcement of the uniform building code, other related matters were not satisfactorily addressed, and the entire matter continued for review on February 8th, 1982.

BOILER REPAIR : Sheriff, Ira Schoppmann, appeared for the purpose of advising the Commission that the heating element in the boiler at the County Jail required repair, and that the technician engaged to make the repair had expressed concern that the element might not prove to be repairable when removed for repair and necessitate the purchase of a new one at a cost of some \$500.00. Accordingly, he asked for authorization to make the purchase should it become necessary. He was so authorized.

LAND PURCHASE : County Attorney, James L. Shumate, advised the Commissioners that proceedings seemed to be in order for acquiring the land on which the County Land Fill is located from Utah International. The matter having been pending for several months. Accordingly, on motion unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, the County Attorney was authorized to take necessary steps to close the transaction at the County bid price of \$100.00 per acre.

NOTICE OF CLAIM : A Notice of Claim was filed with Iron County by Thomas M. Higbee, Esq., for and on behalf of his clients Cornelius Brothers Contracting, in the total sum of \$91,232.00. The same was considered and on recommendation of County Attorney, James L. Shumate, denied.

Whereupon, the meeting was adjourned to February 4th, 1982, to afford the Commissioners an opportunity to fly to Wyoming for an inspection of the Lincoln County Jail.

After bills against the County had either been approved or rejected, the meeting was adjourned.

APPROVED:



Chairman

ATTEST:



Clerk

REGULAR FEBRUARY 8TH, 1982, MEETING

Minutes of a regular meeting of the Board Of Iron County Commissioners held in Commission Chambers at the Courthouse Parowan, Utah, February 8th, 1982, beginning at the hour of 9:00 A. M.

OFFICERS ATTENDING WERE:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: James L. Clark

Minutes of previous meeting read and approved.

APPOINTMENT: M r. Earl Smith, County Weed Program Supervisor and heretofore in charge of chemical application, appeared for clarification of his position with Iron County since it had been reported that the Commissioners were contemplating contracting for the major portion of services related to chemical application for the calendar year 1982. After review it was concluded that effective February 1st, 1982, Mr. Smith would act as supervisor of the Department only, serving an average of at least nine days per month either in the capacity of Weed Eradication Program Supervisor or assistant to the County Road Department at a salary of \$500.00 per month. His time to be carefully logged. Mr. Smith was also given authorization to attend the Weed School scheduled for February 24th. and 25th. 1982.

TAX MATTERS: Mr. Robert and Mrs. Jane Twitchell appeared in company with Mr. Gary Tharpe, Deputy County Assessor, relative to the assessed valuation placed on their home, as listed under serial Number A-879, for the year of 1981. Explaining that the home had been erroneously classified for the said year, resulting in a variance from \$5,875.00 as listed to a proper assessment of \$4,275.00. In as much as the protest period had expired for the subject years assessments, and taxes had been levied, collected, and distributed to the appropriate taxing districts, they were appealing to the Commissioners to authorize an equitable adjustment. Accordingly, after a brief review and based on the presentation, a motion was duly passed which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, authorizing a refund consistent with a recalculation of the tax based on the proper assessed valuation.

Margaret Lane appeared seeking adjustment for a duplicated tax payment resulting from an item of personal property being attached to real estate and being paid in connection therewith to the County Treasurer, and being assessed as personal property by the County Assessor and the tax in turn being paid to him. The Commissioners having been fully informed with respect to the matter, unanimously passed a motion which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, authorizing a refund of \$45.97 to cover the duplication.

BUILDING

INSPECTION: Mr. Alan DeMille, part time County Building Inspector, again appeared in an effort to further acquaint himself with the Boards attitude and desired policy to be employed with respect to enforcement of the provisions of the Uniform Building Code, etc. He explained that he had possibly answered most of his own questions by study of the recently adopted County Development Code, which spells out in rather concise terms the position of the County with respect to most areas of enforcement. He did nevertheless, request council on what action should be taken with respect to technically expired building permits. As a result of the discussion which ensued, he was advised to write a letter to each holder of such a permit and advise them that they have 180 days from date of such notice to perform, or the permit would become null and void. Also, a discussion took place with respect to the fact that Iron County is issuing building permits and making inspections for the Town of Enoch on a 50-50 basis, as well as collecting water system hook-up fees and fees related to garbage pickup. Questions were raised as to why and to what extent, if any, the County should be involved in these functions which are basically the responsibility of Enoch Town. This matter to be explored.

Mr. Steve Grimshaw, County Assessor, recommended that the Office of Zoning Administrator and County Building Inspector be consolidated. This idea to be probed.

PROPOSED

COUNTY JAIL: A number of interested parties appeared for the specific purpose of hearing a report from Mr. Wells Stevens, Vice President, of J. Ron Stacey and Associates, on factors related to feasibility of, advisability of, and possibility of, obtaining a new County Jail on a lease with option to purchase basis. That is to say, the subject firm to construct a Jail Facility to County specifications, and in turn lease it to Iron County and other participating entities under an option to purchase arrangement.

AMONG THOSE ATTENDING WERE:

D. Christian Ronnow, Circuit Court Judge District 9.
Jack Carter, Cedar City Councilman
Conrad Hatch, Cedar City Councilman
Joe Melling, Cedar City Manager
Garth Jones, Secretary Cedar City Chamber Of Commerce
Gordon Adams, County Sheriffs Department
Ralph Edwards, Edwards & Daniels Architects.

Mr. Wells Stevens, who prefaced his remarks with a statement that J. Ron Stacey and Associates were not developers, and that the subject project was some what of a departure from their customary activities, proceed with his report; interrupted at appropriate intervals by Ralph Edwards of Edwards and Daniels Architects, as to their position relative to the matter; which in substance constituted the following outline and/or analysis of the basic factors to be evaluated and problems necessary to be resolved before a firm proposal can be submitted:

- 1- Is the proposal a legally feasible approach?
- 2- An exploratory investigation will be necessary.
- 3- An adequate measure of Community involvement.
- 4- Question of implementation.
- 5- Occupancy and property management.
- 6- Lease period resulting in County ownership.

Other items of general discussion included, but were not necessarily limited to the following:

- 1- Numbers.
- 2- Prorated portions as among the participating entities.
- 3- Site location and participation.
- 4- Ultimate use.
- 5- State participation.
- 6- Ultimate management.

Ralph Edwards of Edwards and Daniels Architects, to prepare a semitic sketch of site options.

The report and attendant discussion was purely informative, resulting in no conclusions being reached relative to the prime target. Mr. Stevens advising that a financial arrangement or proffer can be presented only upon a firm decision being made as to detail.

RESIGNATION: Mr. Greg Gorton, Supervisor of the County Ambulance Service, appeared in support of his letter of resignation filed January 25th, 1982. He expressed his appreciation for the opportunity afforded him to serve the County, proffered assistance to a new supervisor in any manner that he might be of assistance, and submitted the names of two possible candidates who might accept the position, at least on a temporary basis. The names were, Richard Grainger, and Keith Workman.

The Commissioners accepted the resignation of Mr. Gorton with a vote of thanks, but made no appointment of replacement either on a temporary or permanent basis at this time.

SALARY ITEMS: A number of salary and/or job classification adjustment proposals were brought before the Commission for consideration.

- (a) Secretary Cedar City J. P. Margaret Miller.
- (b) Deputy Sheriff, Richard Evans, Etal.
- (c) County Recorders Deputy, Robert Dalley.

All were referred to County Auditor, Dennis Lowder, for review, analysis, and recommendation to be submitted at the next meeting.

ZONING CHANGES: The applications of Joseph Miner and Phillip Carter for confirmation of Zone Changes, acted on favorably by the County Planning Commission, but tabled at the previous meeting to afford the Cedar City Planning Commission time to comment, were called on for consideration. The response from the Cedar City Planning Commission having been received, reviewed, and there being no specific objections, the applications were approved.

WEED

ERADICATION: Mr. Jerry Bryant of Cedar City appeared relative to a proffer he had heretofore made to the County to handle the Weed Control Program for some 300 miles of County Road, both sides, for the total sum of \$9,600.00. After a brief review his bid proffer was accepted. Payment to be made over a four to five months period. An apparent satisfactory explanation was made to him relative to his relationship with Earl Smith, who was heretofore appointed as County Weed Program Supervisor.

MAPLE SPRINGS: A fully executed copy of a lease agreement with an option to buy covering the Maple Springs Area was filed by the Bureau of Land Management. The Commissioners took Official notice of the fact as well as the accompanying stipulations.

OWNER-SHIP

PLATS: Cora J. Hulet, County Recorder, and Deputy Robert Dalley, appeared for the purpose of counciling with the Commissioners relative to advisable policy and procedure with regard to the County Ownership Plating program. During the discussion which ensued, it was suggested that in the case of Subdivisions, the Subdivider should not only be required to submit the standard Subdivision Plat, but as well, ownership Plat or Plats on 16" by 18" Linnen. Either that or pay reasonable fee to have the County prepare them. Such a plan found favor with the Commissioners, although it was a recognized fact that there may be existing legal road blocks, and in any event necessary amendments to the County Development Code before such a plan could be implemented.

ROAD MATTERS: Mr. John McGarry and Richard Sewing of Escalante Valley approached the Board for favorable consideration of their request for assistance from the County in improving the road to their Cemetary. Expressing themselves as believeing that this work could be done at little additional effort by the County if consolidated with the contemplated improvement of the road from Cross-Road Equipment to the Silver Mines. The Commissioner indicated that they would attempt to program this item, at least for grading, at a time most opportune for the County. The delegation also requested that the County assist them in obtaing two or three loads of gravel for their rest stop area along U-56 in the Cross-roads area. This the Board also agreed to do at a time when they are in the business of hauling gravel in the immediate vicinity.

APPOINTMENTS : At the request of the County Aging Council, Mrs. Lois McConnell was appointed as a member of the Council for a term expiring January 26th, 1983.

Mrs. Marlene Riddle, of Cedar City, and Bryner Wood of Escalante Valley, were appointed to the County Planning Commission with terms expiring January 26th, 1985.

Charles E. Esplin, of Cedar City, was appointed to the County Board Of Adjustment for a term expiring January 26th, 1987.

Boyd Christensen of New Castle to the County Weed Control Board for a term expiring April 26th, 1986.

Willard Williams, Kanarraville to the County Weed Control Board with term expiring April 28th, 1984.

Brent Hunter of Cedar City, and Elmer O. Gurr of Parowan to the County Weed Control Board with terms expiring April 28th, 1985.

Rulon Woodbury and Marie Prince, both of Cedar City to the Aging Council with terms expiring January 28th, 1985.

DEVELOPMENT

CODE: The subject of enforcement of specific sections of the new County Development Code, sections which were of special concern to the Commissioners, was discussed. One in particular, in connection with which they desired cooperation of the Title Companies, namely filing of notices of contract transactions, received particular attention. As a result of the discussion, it was concluded to furnish each of the Title Companies with complimentary copies of the said Code together with a cover letter drawing their attention to the sections which they wish to emphasize.

TAX MATTERS: County Treasurer, LaMar G. Jensen, made application to the Board for authorization to cancel the following tax items for the cause and reason that they were levied against Tax exempt entities:

Tax Sale Record 41A Page 799, \$11.78, Indian Branch.

Tax Sale Record 41 Page 251, \$292.05, Juniper Post 3510, Veterans Foreign Wars.

The Commissioners concluding that the assessments were in fact improperly levied, approved the application for cancellation.

After bills against the County had either been approved or rejected, the meeting was adjourned.

APPROVED:



CHAIRMAN

ATTEST:



CLERK



REGULAR FEBRUARY 22ND, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, February 22nd, 1982, beginning at the hour of 9:00 a. m.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Carma S. Hulet, Deputy Clerk
James L. Shumate, County Attorney

Invocation:

Minutes read and approved.

FLOOD ZONE: Mr. Cressal Sherratt, Representative of the Coal Creek Irrigation Company, appeared for purpose of again consulting with the Commissioners concerning the possibility, through zoning or other regulatory measures, to protect the natural flood channels of Coal Creek from invasion by home builders or others who by whatever means may obstruct the natural or normal flow of such waters. Discussion was also had on the possibility of diverting some of the waters to other areas in an effort to reduce presence on the present drainage area.

The County Attorney was assigned to make an investigation into where the responsibility lies for implementing, if at all, proposal discussed, and the proceedings related to them.

SUPPLEMENTAL INSURANCE PROGRAM: Mr. Lynn Barnson and David Beckstead appeared for purpose of proffering an insurance program supplemental to the program presently held by the County. The Commissioners felt that it should be optional with the employees, and gave them permission to consult with them.

SALARY MATTERS: Dennis Lowder, County Auditor, appeared for purpose of reporting on an assignment given to him to evaluate proposals from the Iron County Sheriff's Department, and the Iron County Recorder's office for salary adjustment related to certain employees. As a result of his report a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark. The following adjustments were made:

1. Richard Evans from a 10-3 to an 11-2.
2. Gordon Adams from a 12-3 to a 12-4.
3. H. Wayne Holt from a 12-6 to a 12-7.
4. Robert Dalley from a 9-7 to 9-8.
5. May Dean Petty from a 3-1 to a 4-2.

All effective as of March 1st, 1982.

ZONE CHANGE

& VARIANCE : Barbara Jean Brewer, of Parowan, appeared seeking a zone change and/or variance as related to certain property owned by her north on the Kane Springs Road. After review, she was counceled to obtain a recommendation for a zoning change from the County Planning Commission, and the Commissioners in connection with taking action on the zoning change recommendation, would consider issuing the variance.

TAX

MAITER : The University of Utah, claiming a tax exempt status by virtue of their public institutional classification, applied for cancellation of taxes levied on property listed to them under serial number D-518-61, for year of 1981. After a brief discussion, a motion was unanimously passed which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, approving the request.

BUILDING

INSPECTOR : Steve Grimshaw, County Assessor, appeared to report that the County Building Inspector had resigned effective as of March 1st, 1982, and that consideration should be given to the manner in which the service is to be provided. Among others, it was suggested that a full time position be made out of combining the Zoning Administrator and the Building Inspector. The proffer that Gary Tharpe would hande the work under contract for now was accepted.

FIRE

DEPARTMENT : Mr. Royce Barton, Chief of the Paragonah Fire Department, appeared for purpose of seeking council from the Commis-
sioners on a number of items.

1. He asked for some type of indication from the Board as to whether or not they considered the financial assistance which they gave Paragonah for construction of their Fire House was with the idea that it should be used exclusively for that purpose. Apparently for use by Paragonah Town for other purposes. James L. Shumate, County Attorney, was assigned to clarify the understanding of Iron County related to use of the building.

Mr. Barton also wished to obtain some idea of his area of jurisdiction for fire service.

While not to the exclusion of services from any other source, it was generally agreed that it could be the Town of Paragonah and Parowan and running north to the County line. No clear destinction being made as to the south boundry.

Albert M. Orton and Rodney M. Adams, representing the Parowan City Fire Department, spoke briefly in opposition to the idea of designated area responsibility for Fire Departments.

Indicating that in their opinion, response should be based on proximity and need.

The basic purpose of their appearance, however, was to report that Parowan City was considering the purchase of a new fire truck and wished to know as to whether or not they could anticipate financial support from Iron County to extent of 50% of costs.

After a brief discussion, the delegates were advised that Iron County would support the idea generally, but would have to evaluate its financial capabilities before a firm commitment could be made with respect to funding arrangements.

FLOOD PLAN : A communication from the Escalante Valley Coordinating Council for the preparation of a Flood Control Plan for the general area, was discussed briefly, but no formal action taken.

COUNTY FAIR QUEEN CONTEST : Mr. Lynn Bulloch, for and on behalf of the Cedar City J. C.'s, requested that the Iron County Commission formally appoint and award them exclusive right to conduct the annual Iron County Fair Queen Selection Program. Following review, the Commissioners found themselves willing to make such an authorization, subject only to periodic review.

TELEVISION FUNDING : The idea of funding the cost of operating the County Television System through assessment upon each T V set owner, was advanced for discussion only, resulting in a conclusion that the idea be explored.

S. W. DISTRICT HEALTH : A communication from the Utah Southwest District Health Department, charging Iron County with failure to fully meet its financial commitments to the Department for 1981, and a like situation appearing for 1982, together with the assertion that due to such circumstances, Iron County may be excluded from the program, was reviewed. Following review, it was concluded to table the matter pending a report from Chairman Howard D. Knight, subsequent to his meeting with the Department.

SALARY MATTER : James L. Shumate, County Attorney, made a formal request to the Commissioners that Iron County pay the Health Insurance coverage on his family. As a result of the discussion which followed, this item was also tabled for study.

Mr. Shumate also requested that a raise in salary be authorized for his secretary, Norma Christiansen. This matter to be referred to Dennis Lowder, County Auditor, for study and report.

AMBULANCE SERVICE : Mr. Craig Gorton, having resigned his position of Administrator

of the County Ambulance Service, and their being some expressed desire of IHC wishing to assume this responsibility, no consideration to be given to a replacement until after Chairman Howard D. Knight has had an opportunity to meet with Mr. Dahl Gardner, Administrator of the Valley View Medical Center, scheduled for February 23rd, 1982.

UTAH ALCOHOLISM

FOUNDATION : A letter was submitted by Mr. Kenneth M. Joseph, for and on behalf of the Utah Alcoholism Foundation, through James L. Shumate, County Attorney, soliciting a \$6,000.00 cash contribution from Iron County in support of the program of the Department, which request he supported by the contention that the Department in many instances serves the Court through assignment.

The Commissioners seemed to be generally sympathetic to the position taken by Mr. Joseph, but observed that they had budgeted only \$3,500.00 for this purpose which, if not already paid should be paid, and that a source of funding of the balance would have to be found before payment could be authorized.

QUIT CLAIM

DEED : By telephone, Mr. Ken Esplin, of the Chaparral Realty Company, called attention of the Commission to the fact that in deeding certain property in Block 8, La Vista Park Subdivision, to Jan Prestwich some time ago, Iron County had apparently inadvertently failed to deed an existing street, serving the property, to Cedar City, and therefore Cedar City is now refusing to issue a building permit for construction on the said Prestwich property, unless and until the street has been transferred to them.

Accordingly, there appearing to be no justifiable objection thereto, a Resolution was unanimously adopted, which was proffered by Commissioner Dee G. Cowan, and his motion for adoption being duly seconded by Commissioner James L. Clark, authorizing the issuance of a Quit Claim Deed to Cedar City Corporation conveying the following described property, purported to be an existing street and purportedly owned by Iron County, to said Cedar City Corporation.

Street Deed to City

Beginning S 89°21'55" W, 40.00 feet along the South line of Altamira Avenue from the Northwest corner Lot 19, Block 8, LaVista Park Subdivision, Cedar City, Iron County, Utah: thence S 0°49'35" E, 280.00 feet parallel to the West line of 300 East Street; thence S 89°21'55" W, 60.00 feet; thence N 0°49'35" W, 280.00 feet; thence N 89°21'55" E, 60.00 feet to the Point of beginning.

STATE FORESTRY

FIRE CONTROL : Instruction for completion of the application forms for Rural Community Fire Protection, was presented, considered,

but not action taken pending meeting with Ronald Larsen, local Utah Forestry and Fire Control Representative. He to be invited in to the next regular Commissioners meeting.

After bills against the County had either been approved or rejected, the meeting was adjourned.

APPROVED: Howard D. Knight
Chairman

ATTEST: Oliver Stiles
Clerk

REGULAR MARCH 8TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, beginning at hour of 9:00 a. m.

Officials attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: Dee G. Cowan.

Minutes read and approved.

INDIGENT
BILLINGS

: Mrs. Gloria Taylor, representing the Valley View Medical Center, presented claims against Iron County totaling some \$14,251.48, covering services rendered indigent persons. After review, a motion was duly passed, which was made by Commissioner James L. Clark, and seconded by Dee G. Cowan, authorizing payment.

TAX
MATTER

: Mr. Forrest Hunter of Cedar City appeared seeking adjustment in the assessed valuation of certain farm land owned by him and listed under serial number B1-9-21 for 1982. Explaining that it was a tract of land heretofore listed under Green Belt, and that he was ignorant of the fact that it was necessary for him to re-apply for Green Belt in order for it to continue with that status. Even though the Commissioners agreed that the request was perhaps somewhat untimely, a motion was made by Commissioner James L. Clark and seconded by Dee G. Cowan, authorizing the adjustment.

STATE FORESTRY
AND FIRE CONTROL

: Mr. Ron Larsen, representing the State Forestry and Fire Control Department, appeared at the request of the Commissioners, for purpose of explaining a communication received from his Department, the full import of which they did not understand. Based on his explanation the Board learned that it was for information only, required no action, and none was taken.

SOUTHWEST
DISTRICT HEALTH

: Commissioner James L. Clark, who attended the most recent Southwest Health Department meeting, rather than Chairman Howard D. Knight, reported briefly on proceedings.

TAX
MATTER

: Mr. Gary Tharpe, Deputy County Assessor, appeared accompanied by Mrs. Dennis Skougard, and recommended an adjustment in taxes on the home of the Skougards for 1982, downward from \$517.25 to \$450.46.

Explaining the adjustment in taxes on the home was necessary due to error in classification of the building. The property being listed under serial number A-403-7. After review the recommendation was approved.

Mr. Tharpe also requested and received authorization to cancel taxes levied on a building assessed under serial number A-775-9-7, for the years of 1980 and 1981, which in fact was not on premises.

Amounts involved were:

1980	\$497.32
1981	\$596.35

CLAIM

FOR INJURY

: The Notice of Claim for personal injury and Petition for Relief, presented by Allen, Thompson, and Hughes, Esquires, for and on behalf of Dale Loveland, Claimant, was presented, discussed, and denied. County Attorney, James L. Shumate, to respond for and on behalf of Iron County.

PROPOSED JAIL

BUILDING

: Mr. Ralph Edwards and Robert Boyle, representing the Edwards and Daniels Architectual Firm; Wells Stevens, representing J. Ron Stacey and Associates; and Mr. Jeff Holt, of Burrows, Smith and Company, appeared for consultation with the Commissioners concerning items which relate to the proposed construction of a new County Jail.

First Mr. Edwards and Mr. Boyle presented a schematic drawing of the proposed County Jail Site. Explaining in detail, and answering all questions put to them by the Commissioners, pertaining thereto.

Mr. Wells Stevens was present for the purpose of a rather in depth discussion of possible constuction by the Firm, which he represents, of the Jail Facility followed by a "lease back with option to purchase" arrangement with Iron County. No firm figures were available at this time as to what the financial structure of such an arrangement might be in as much as such would be influenced by a number of factors which had not yet been obtained, including, but not necessarily limited to an analysis of County financial responsibility.

During and through the presentation by Mr. Stevens, numbers were tossed about, substantially as follows:

1. That the total square footage as now contemplated is 34,958.
2. That the breakdown of the total footage into its various components, and the estimated cost per square foot running to each is:

(A) Jail	18,434 square feet	@	\$115.00 per square foot	\$2,119,910.00
(B) Police	4,424 square feet	@	\$ 60.00 per square foot	\$ 265,440.00
(C) Sheriff	4,424 square feet	@	\$ 60.00 per square foot	\$ 265,440.00
(D) Court	6,044 square feet	@	\$ 70.00 per square foot	\$ 423,080.00
(E) Mechanical	1,632 square feet	@	\$ 30.00 - \$40.00 P.S.F.	<u>\$ 48,960.00</u>
TOTAL tentative projected construction costs				\$3,122,830.00

A probable additional cost for site procurement of \$235,000.00 was also mentioned in connection with the presentation of Ralph Edwards and Robert Boyle.

Mr. Jeff Holt of Burrows Smith and Company appeared basically for the purpose of making a presentation of what in his opinion were the options open to Iron County for funding construction of the Jail and the merits and demerits of each.

First, the option of proceeding as now being contemplated through J. Ron Stacey and Associates. This procedure he gave a highly negative rating because of its high risk status. In essence that it could not, if contested, qualify for square legally and consequently the exposure of the Commissioners to legal liability would not be remote. Furthermore, ignoring this facet of the matter, that the impression given of an ultimate most favorable interest rate would not hold up under careful scrutiny, and that J. Ron Stacey and Associates would have to adjust costs projections for reason that, under the circumstances, they could not qualify for tax free funding.

Second, the option of going back to the people with another Bond Election. This, in his opinion, being the most appropriate, legal, and reliable approach.

Third, the possibility, through a friendly law suite, of obtaining a favorable answer from the Supreme Court of the State of Utah, to the question as to whether or not Counties and Municipalities may avail themselves of privileges legally afforded the State of Utah, to create a non profit corporation through which they may exercise the construction "lease back with option to purchase agreement" concept. Thus obtaining the tax exempt status for bonding, and eliminating necessary profit to a private entity using the same approach.

The Commissioners made no firm decision as to the course they may now take in the matter, but will carefully weigh the information obtained, and subsequently rule.

THREE

PEAKS RECREATION : Commissioner Dee G. Cowan, brought the Board up to date on progress being made with respect to the proposed

"Three Peaks" recreation site. No action was taken or was necessary at this time.

SALARY
MATTER

: Sheriff Ira Schoppmann, and Chief Deputy, John R. Williams, appeared again with respect to salary adjustments for members of the Department. In as much as this was not an agenda item for this date it was scheduled for March 22nd, 1982. Members of the Department who are to be scheduled for consideration are:

Pat Shurber
Charles Mitchell
Richard Payton

APPOINTMENT : Commissioner James L. Clark, reminded the Board that David Grimshaw would soon submit his resignation as a member of the Planning Commission, and that he would like to recommend Douglas B. Grimshaw as replacement. This not being an agenda item also continued to March 22nd, 1982.


After bills against the County had been either accepted or rejected, the meeting was adjourned.

APPROVED:



Chairman

ATTEST:



Clerk

REGULAR MARCH 22ND, 1982 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers, at the courthouse, Parowan, Utah, March 22nd, 1982, beginning at the hour of 9:00 A. M.

Officers present were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Prayer: Howard D. Knight.

Minutes read and approved.

SOUTHWEST

DISTRICT HEALTH : As the first matter of business, the Board afforded Mr.

Rueben Jones, Representative of the Southwest District Health Department, an opportunity to report on the activities and service rendered by the Department, and for presentation of his reasons for believing that Iron County can more economically supply standard health care services through the Department than operating independently. He did agree, however, that it might be profitable to ascertain the basic formula being used in arriving at membership financial participation, which formula he was not familiar with.

A number of other items of general interest were discussed, but nothing requiring formal action at this time, and none was taken.

DEVELOPMENT

PROPOSAL : A delegation appeared headed by Mr. Stan Sorensen, of Cedar City, interested in the development of a land area, located substantially in Section 18, Township 34 South, Range 9 West, SLB&M, into a recreation center to be known as Jeremiah Ranch. For the Commissioners information, they presented, charts, brochures, sketches, etc. which, in substance, outline an area providing condominiums, clubhouses, recreation center, corrals, stables, bridle trails, etc. This portion being purely informational. Their basic purpose of appearing, however, was to make a proffer to the Commissioners, to grant to Iron County, forty acres of land and water, and the County, by and with such support as they might be able to obtain from Brian Head, to in turn develop the said 40 acres into a golf course. Cost estimate running from \$10,000.00 to \$20,000.00 per hole, Urging that a dialogue be established with Brian Head.

The Commissioners found themselves with no objection, at the present time to the proposed general plan of development, but rather cool to the idea of Iron County becoming involved in the development of a golf course. No action

taken, however.

PAIUTE

RESERVATION : Mr. Travis Benioh, representing the Paiute Tribal Council, met the Commissioners for purpose of presenting and discussing the proposed Paiute Indian Tribe of Utah Reservation plan, and for purpose of obtaining, if possible, the adoption by the Board of a resolution supporting, it, Accordingly, after a rather indepth discussion, the following resolution was presented by Commissioner Dee G. Cowan, who moved for its adoption.

RESOLUTION

WHEREAS, the federal trust relationship between the Kanosh, Koosharem, Indian Peaks and Shivwits Bands of Paiute Indians was terminated pursuant to the Act of September 1, 1954, 25 U.S.C. S741, et seq., and although the Cedar City Band was not terminated, they suffered from de facto termination; and

WHEREAS, federal recognition was restored or confirmed with respect to the Kanosh, Koosharem, Indian Peaks, Shivwits and Cedar City Bands of the Paiute Indian Tribe of Utah by the Act of April 3, 1981, P.L. 96-227, 25 U.S.C. S761, et seq.; and

WHEREAS, as a direct result of termination the Bands lost approximately 15,000 acres of land; and

WHEREAS, Section 766 (c) of Title 25, United States Code provides that the Secretary of Interior shall submit a plan for the acquisition of up to 15,000 acres from available public, private or state lands, to Congress by April 3, 1982; and

WHEREAS, said proposed reservation plan provides for the acquisition of approximately 4,800 acres of land currently administered by the Bureau of Land Management and approximately 10,000 acres of land currently administered by the Forest Service; and

WHEREAS, maps of each parcel of land proposed for selection are attached hereto and incorporated herein by reference; and

WHEREAS, the selected lands have been identified for their medium to long-term income potential for the Tribe; and

WHEREAS, it is anticipated that these lands will enable the Tribe to become self-sufficient, to provide employment opportunities for Tribal members, and generally promote the health and welfare of the Paiute citizens of Utah; and

THEREFORE, BE IT RESOLVED that the Iron County Commission supports the proposed reservation plan.

CERTIFICATE

The foregoing resolution was presented this 22nd day of March, 1982 and was approved by a vote of three (3) in favor, none opposed, and none absent.

s/s: Howard D. Knight

Chairman

The motion for adoption was duly seconded by Commissioner James L. Clark, and the vote thereon was unanimous.

TAX MATTER : Mr. Bruce Gardner accompanied by Steve Grimshaw, County Assessor, appeared relative to Mr. Gardner contention that he had been unfairly treated by the application of penalty, interest, and costs, as addition to principal taxes levied against his home through the roll-back-process.

Explaining that he had on more than one occasion reminded the Assessor's office that the home did in fact exist and he wanted it appraised and placed on the tax rolls. Mr. Grimshaw supported his statement. Accordingly, a motion was unanimously passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, agreeing to accept the roll-back taxes without interest, penalty, and costs. Property being listed under Serial Number 670-1-2.

USE PERMIT MINERSVILLE SITE : Utah Power and Light Company, through James L. Clark, County Commissioner, made application to Iron County for permission to use the Minersville Television site as a microwave station.

As a result of the discussion which ensued, a motion was unanimously passed, which was made by Commissioner Clark, and seconded by Commissioner Dee G. Cowan, providing that Iron County continue to maintain its right of use to the site, and in turn permit Utah Power and Light Company to install their microwave equipment there. Commissioner James L. Clark to so advise Utah Power and Light Company, upon and after clearance with Elvin Webster, County Television serviceman.

CHORALE SOCIETY : Mrs. Pam Lewis of Cedar City, representing the South Utah Chorale Society, met the Commissioners to inform them of the existence of their organization, its objectives, and plans. Basically, however, her message was that it was going to cost them money to operate, and that they would appreciate this type of support from Iron County.

Following a rather extensive discussion, Mrs. Lewis was assured of the Commission's morale support, but that financial support would have to await their investigation of means and sources.

COUNTY JAIL PROGRAM : Mr. Jeff Holt, representing Burrows, Smith and Company, appeared for purpose of attempting to persuade the Commissioners to instigate legal action in such manner as to test the constitutionality of the "Utah Municipal Building Authority Act." He explained that his

company was most anxious to have the act tested from standpoint of local units of governments, and agreed to bear all costs except for those generated on the local level, which would include only filing fees and the County Attorney's salary and expense.

While the Board continued formal action to the next regular meeting date, their reaction seemed to be favorable.

LAND MATTER: Jan Prestwich, purchaser some time ago from Iron County of certain property located in Block 8 of La Vista Park subdivision, complained to the Commissioners of a recent action taken by the County in transferring a street adjacent to her property and owned by Iron County to Cedar City, asserting that additional property would have to be obtained to make it effective and acceptable as a street, and/or a through right-of-way obtained.

After the problems and possible solutions had been discussed, it was agreed that Mrs. Prestwich should first meet with Matt Bulloch, Cedar City Engineer, obtain his suggestion, and subsequent thereto, meet with the Hospital Board concerning the possibility of obtaining necessary right-of-way to accomplish her objective.

AMBULANCE CONTRACT: A proposed ambulance service agreement by and between Valley View Medical Center and Iron County, was presented for review by the Board, and for their approval and execution. However, a number of EMT's, including Keith Workman, Albert Orton, Robert Tuckett, and Richard Grainger, appeared in opposition to the County's acceptance of the agreement in its present form, and in the alternative submission of their proposal to contract the service. After a full discussion, it was concluded to submit the contract to the County Attorney for study, and in the meantime to arrange a joint meeting with representatives of the Valley View Medical Center and the EMT's. A decision to follow the said meeting.

COUNTY FAIR: Scott Haycock, President of the Iron County Fair Board, who had heretofore submitted a letter of resignation, appeared for consultation with the Board with respect to the matter. In the first instance, the Commissioners advised Mr. Haycock that they had not accepted his resignation and wanted him to reconsider. This he agreed to do. A number of items related to the Fair were discussed, but no action taken with respect thereto with exception of the approval of a bill to Mrs. Joan Mortensen for \$200.00 for secretarial help.

SHERIFF'S SALARIES

: The matter of acting on salary proposals for certain members of the Sheriff's Department, carried over from the previous meeting, was called on for consideration. Following review, a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by James L. Clark, approving the following changes:

Richard Payton, Step 12-2 to Step 12-4.

Charles Mitchell, Step 10-4 to 11-2.

Pat Surber delayed for lack of Information.

APPOINTMENT

: On motion of Commissioner James L. Clark, duly seconded by Commissioner Dee G. Cowan, Douglas B. Grimshaw, was appointed to the County Planning Commission to replace Dave Grimshaw, who recently resigned.

SPECIAL EVENTS CENTER

: The subject of a Special Events Center for Cedar City was mentioned and briefly discussed, bringing to light the fact that President Gerald Sherratt of Southern Utah State College has under investigation the possibility of obtaining such a facility at S. U. S. C. Accordingly, Commissioner Dee G. Cowan, proffered the following resolution and moved for its adoption:

RESOLUTION

WHEREAS, the need of a Special Events Center to serve Cedar City has been cited by a number of Cedar City residents and citizens groups for some time,

AND WHEREAS, such a facility has by some been contemplated as a segment of the Redevelopment program,

AND WHEREAS, the acquiring of the facility through the redevelopment program is questionable and in the distant future, and the School need is now.

NOW WHEREFORE, we the Board of Iron County Commissioners in regular session assembled this 22nd, day of March, 1982, go on record as favoring and supporting President Sherratt's plan and objective, as we at this time understand it to be, as being the most realistic and feasible. Motion for adoption was seconded by Commissioner James L. Clark, and the vote was unanimous.

Approved: Howard D. Knight
Chairman

Attest: Oliver Hales
Clerk

After bills against the County had either been approved or rejected, the meeting was adjourned.

Approved: Howard D. Knight
Chairman

Attest: Oliver Hales
Clerk

REGULAR MEETING OF APRIL 12TH, 1982

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, April 12th, 1982, beginning at the hour of 9:00 A. M.

Officers attending were:

Howardard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney
LaMar G. Jensen, Treasurer
Dennis A. Lowder, Auditor

Invocation: Commissioner Dee G. Cowan.

Minutes were read and with minor adjustments, approved.

AGING

PROGRAM : Mrs. Leora Bammes, Aging Council Program Director, met the Commissioners for purpose of reporting, and for discussing with them a number of matters on which she sought counsel. Among the items presented was a request for use of the southeast corner room of the courthouse basement in the event it is vacated. The Board agreed to reserve it for her in such an event.

TRANSIENT

INDIGENTS : Mr. Richard Garrett, and two associates, appeared for purpose of discussing with the Commissioners, the cooperative effort on the part of Family Life Services and Iron County to care for transitory persons who are indigent. It was proposed that Family Life Services care for all such persons, and in turn bill Iron County for its proportionate share, as per the agreement, rather than the split basis as now being used. Subsequent to their appearance, the matter was discussed with Sheriff Ira Schoppmann, and a decision reached to reverse the proposal as submitted by Family Life Services, and have Iron County service all requests for assistance through the Sheriff's department, and the County in turn bill Family Life Service for their proportion of costs based on the agreement. The matter was left open to the extent of affording the Sheriff and a representative from Family Life Services an opportunity to discuss procedure and make recommendation.

BIDS 1981

AUDIT : Bids recieved in response to the County's invitation to bid on the preparation of the County Audit Report for calendar year 1981, were opened and read aloud. Bids were as follows:

1. J. H. Gubler and Associates \$5,900.00
Plus out of pocket expenses

- | | |
|-----------------------|------------|
| 2. Floyd D. Pickering | \$4,945.00 |
| 3. Worth H. Grimshaw | \$4,300.00 |
| 4. Darby and Carter | \$8,400.00 |

On motion of Commissioner James L. Clark, duly seconded by Commissioner Dee G. Cowan, The bid of Worth H. Grimshaw was accepted as lowest and best.

REZONING : A communication was recieved from the County Planning Commission, through which they recommended approval of the application of Barbara Brewer, of Parowan, for a zoning change for property owned by her north of Parowan on the Kane Springs road. After review, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, confirming the Planning Commission's recommendation.

SUMMIT SPECIAL SERVICE : Mrs. Roxanna Johnson, appeared for purpose of advising the Commissioners that in order for Summit Town to adequately service all interested parties requiring services from this new water system, the service district requires expansion. Accordingly, the Board authorized County Attorney, James L. Shumate, to prepare and direct the necessary legal steps to make the necessary district adjustment.

SALARY MATTER : Sheriff Ira Schoppmann, advised the Commissioners that he had moved Pat Surber to the position of head Jailer, and wished the appropriate adjustment made in his salary schedule. The request was approved. Details to be worked out in accordance with the salary schedule adopted for the Sheriff's department, with the County Auditor.

ALCOHOL SCHOOL : Maude Fairbanks, of the University of Utah, appeared in the interest of their 31st annual session of school on alcoholism and other drug dependancies. Making her annual request that Iron County foster one or more delegates to the school, together with the proffer that for each one the County would sponser they, the University, would sponsor another. Accordingly, after review, the Board agreed to sponsor one delegate to the school this year, scheduled for June 20th to the 25th.

TAX MATTER : Mr. Steven Grimshaw, County Assessor, advised the Commissioners that U and S. Motors had paid taxes in the sum of \$74.19 on a car which was on inventory, and were therefore entitled to a refund. The refund was accordingly authorized.

COMPUTER : Mr. Grimshaw also brought up the matter of the temperature control and maintenance for computer equipment on a twenty-four hour every day basis. Suggesting that a small area be sectioned off for the equipment apart from the room itself in order that the temperature requirement would need not be provided for the entire room. The Board seemed to favor the arrangement. He also reported that he was receiving requests for purchase of computer print-outs, and wished to know the reaction of the Commissioners to the idea. It was concluded that Mr. Grimshaw should first obtain information on the experience of other counties in this area and report.

PANGUITCH LAKE ROAD : A delegation comprised of a number of Iron County and Garfield County residents headed by Gene Sturzenegger, District Road Engineer, and Bert Nichols, again presented their proposal that Iron County cooperate with Utah D O T, Garfield County, and Brian Head in keeping the road from Brian Head to Panguitch open next winter. A rather lengthy discussion took place with respect to the matter, including an appraisal of what those present believed had been the beneficial results of the past winters trial run. The Commissioners seem to be sympathetic to the cause sponsored by the delegation, but would make no firm commitment of funds at this time.

B L M REPORT : Mr. Arlen Jensen, representative of the Bureau of Land Management, appeared for purpose of reporting on the present status of the Wilderness program in Iron County, and to announce an open house with respect to the matter, scheduled for April 21st, 1982. After review, Commissioner James L. Clark, agreed to draft Iron County's response and recommendation regarding the subject matter, and, if possible, to present it prior to April 21st, but not later than April 30th.

BUILDING AUTHORITY : At 12:30 P. M., as per the meeting agenda, Mr. Jeff Holt of Burrows Smith and Company, was given audience for purpose of laying the framework and/or setting up the mechanism ofr the establishment of a Muncipal Building Authority for Iron County. The County Clerk presented to Board an Affidavit evidencing the giving of not less than twenty four (24) hours public notice of the agenda for the meeting, in compliance with requirements of section 52-4-6 (2), Utah Code annotated, 1953, as amended. The affidavit was ordered entered as a part of the record, being substantially in the following form:

STATE OF UTAH)
)
COUNTY OF IRON)

I, the undersigned, the duly qualified and acting County Clerk of Iron County, Utah, do hereby certify, according to the records of said board in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6 (2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the April 12, 1982 public meeting to be held by advising the Iron County Record, a newspaper of general circulation within the geographic jurisdiction of Iron County, by telephone, of the complete agenda for the said regular April 12th, 1982 meeting, and having available at my office for public inspection at any time, a complete copy of the said agenda from April 9th, 1982, to date of the meeting.

A copy of the agenda, as written, being attached hereto as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of Iron County, Utah, this 12th day of April, 1982.

County Clerk
Iron County, Utah

IRON COUNTY COMMISSION MEETING - APRIL 12, 1982

9:00 A. M. Approve Minutes - Approve Bills
9:15 A. M. Leora Bammes - Aging Counsel
9:30 A. M. Family Life Services - Transient Payments
10:00 A. M. Alta Dalton
10:15 A. M. Roxanna Johnson - Summit Special Service District
10:45 A. M. Stephen Grimshaw
11:00 A. M. Panguitch Lake Road - Burt Nichols
11:30 A. M. Arlen Jensen - B L M
11:45 A. M. Nancy Dalton
12:30 P. M. Jeff Holt - Consideration of Creation of a Building Authority
Opening of Audit Bids

Thereupon, after the conduct of other business not pertinent to the following, the Chairman of the Board of County Commissioners presented to the Board of County Commissioners copies of Articles of Incorporation and Bylaws for the proposed Municipal Building Authority of Iron County, Utah and introduced a resolution in written form approving the organization of the Municipal Building Authority of Iron County, Utah and the forms of Articles of Incorporation and Bylaws, and authorizing the appropriate officers of Iron County to take all necessary action in connection with the organization of said corporation.

The resolution, the Articles of Incorporation and the Bylaws were thereupon reviewed and discussed and, after all interested persons were given an opportunity to express their views to the Board of County Commissioners, pursuant to motion made by Commissioner James L. Clark and seconded by Commissioner Dee G. Cowan, the resolution was adopted by the following vote:

Aye: _____

Nay: None.

The resolution was thereupon signed by the Chairman of the Board of County Commissioners in open meeting and attested by the Clerk and is as follows:

A RESOLUTION APPROVING THE ORGANIZATION OF THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH AND THE FORMS OF ARTICLES OF INCORPORATION AND BYLAWS RELATING THERETO, AND AUTHORIZING THE APPROPRIATE OFFICERS OF SAID COUNTY TO TAKE ALL NECESSARY ACTIONS IN CONNECTION THEREWITH.

WHEREAS, pursuant to the provisions of the Utah Municipal Building Authority Act, Title 11, Chapter 29 of the Utah Code Annotated 1953, as amended, Iron County, Utah is authorized to create a municipal building authority for the purpose of acquiring, improving, or extending any improvements, facilities, or properties and appurtenances to them which Iron County is authorized or permitted by law to acquire, including, but not limited to, public buildings or other structures of every nature or any joint or partial interest in the same, whether or not such improvements, facilities, properties, and appurtenances are situated within the boundaries of Iron County; and

WHEREAS, this Board of County Commissioners considers it necessary and desirable for Iron County to organize a not-for-profit corporation as a

municipal building authority (the "Corporation") to carry out on behalf of Iron County the acquisition, improvement, of extension of improvements, facilities, or properties and appurtenances to them in accordance with the Utah Municipal Building Authority Act; and

WHEREAS, there have been presented to and reviewed by this Board of County Commissioners proposed Articles of Incorporation and Bylaws for the Corporation, and this Board of County Commissioners desires to approve the organization of the Corporation and such proposed documents and to authorize the appropriate officers of Iron County to take all necessary actions in connection with the organization of the Corporation;

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of County Commissioners of Iron County, Utah, as follows:

Section 1. That this Board of County Commissioners hereby approves the organization of the Corporation to function on behalf of Iron County as a municipal building authority in accordance with the provisions of the Utah Municipal Building Authority Act as the same now exists or as it may be from time to time amended, and in connection therewith approves the proposed forms of Articles of Incorporation and By-laws of the Corporation substantially in the forms which were presented to and reviewed by this Board of County Commissioners and which are attached hereto as Exhibits B and C, respectively.

Section 2. That the Commissioners are authorized to execute the Articles of Incorporation in substantially the form attached hereto, that the County Attorney shall cause such executed Articles of Incorporation to be filed with the Secretary of State of the State of Utah and that the Chairman, Commissioners, County Clerk, County Attorney, County Auditor, County Treasurer and other officers of Iron County are authorized and directed to take all necessary actions to cause the organization of the Corporation.

Section 3. That all resolutions and orders or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect immediately upon its adoption.

ADOPTED AND APPROVED: this 12th day of April, 1982.

Attest:

S/S: Howard D. Knight
Chairman

Clerk

(Other business not pertinent to the above appears in the minutes of the meeting.)

Pursuant to motion duly made and carried, the meeting was adjourned.

S/S: Howard D. Knight

Attest:

Clerk

EXHIBIT B
ARTICLES OF INCORPORATION
OF
MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH

We, the undersigned natural persons of the age of twenty-one year or more and citizens of the State of Utah, acting as incorporators of a Corporation under the Utah Nonprofit Corporation and Co-operative Association Act, do hereby certify:

ARTICLE ONE

The name of the Corporation ("Corporation") is:
Municipal Building Authority of Iron County, Utah.

ARTICLE TWO

The period of duration of the Corporation is perpetual.

ARTICLE THREE

This Corporation is a nonprofit corporation and is organized pursuant to the provisions of the Utah Municipal Building Authority Act, Chapter 29 of Title 11, Utah Code Annotated 1953, as amended, and of the Utah Nonprofit Corporation and Co-operative Association Act, Article 2, Chapter 6 of Title 16, Utah Code Annotated, 1953, as amended. It does not contemplate pecuniary gain or profit to the trustees thereof and shall so conduct its business and affairs so that no profit or income from the operation thereof shall inure to any trustee or officer of the Corporation or to any private person or corporation and no distribution shall ever be made of any of the properties or assets of the Corporation to any trustee or officer thereof or to any private person or

corporation. Upon dissolution of the Corporation, all of the Corporation's assets remaining after the payment of all of its liabilities shall be transferred to Iron County, Utah (the "County") free and clear of all liens and encumbrances, without consideration of whatsoever kind or nature.

ARTICLE FOUR

The purpose of purposes for which the Corporation is formed are:

(a) To accomplish the public purposes for which the County exists by acquiring, improving, or extending one or more Projects (Project", as used in these Articles of Incorporation, shall mean improvements, facilities, or properties and appurtenances to them which the County is authorized or permitted by law to acquire, including, but not limited to, public buildings and other structures of every nature or any joint or partial interest in the same, which improvements, facilities, properties, and appurtenances need not be situated within the boundaries of the County), and financing the costs thereof on behalf of the County.

(b) To borrow the necessary funds to pay the costs of acquiring, improving, or extending such Projects, the indebtedness for which borrowed money may be evidenced by bonds, notes or other evidences of indebtedness ("Obligations") of the Corporation issued pursuant to the Utah Municipal Building Authority Act at any one or more times, which Obligations shall be secured by a pledge and assignment of the revenues received by the Corporation under any lease contract with respect to Projects financed with the proceeds of the sale of such Obligations and which may be secured by a mortgage, trust deed, indenture, pledge, agreement, assignment, security agreement, financing statement, or other instrument pursuant to which property may be encumbered as security for obligations, covering all or any part of a Project, whether or not financed with such borrowed funds, by a pledge and assignment of any lease contract with respect to a Project, whether or not financed with such borrowed funds, by amounts held in reserve funds or by such other security devices with respect to a Project, whether or not financed with such borrowed funds, as may be deemed most advantageous by the Corporation.

(c) To conduct its business and affairs so as to tender by gift to the County after all of the Corporation's indebtedness has been paid, all rights, title and interest of the Corporation, in or to all of its properties and assets.

Without limiting the generality of the foregoing, but subject to the limitations set forth in Article Eight hereof the Corporation shall have all the powers, privileges and rights necessary or convenient for carrying out the purposes for which the Corporation is formed and the trustees hereby claim for the Corporation all the benefits, privileges, rights and powers created, given, extended or conferred by the provisions of all applicable laws of the State of Utah pertaining to municipal building authorities and to nonprofit corporations and any additions or amendments thereto.

ARTICLE FIVE

The Corporation shall have no members.

ARTICLE SIX

The Board of Trustees of the Corporation shall have the power to adopt By-Laws for the conduct of the business and affairs of the Corporation, and may alter or rescind the same, except as may be provided in the By-Laws, by the vote of a majority of the trustees in office, provided that no such amendment shall take effect until a certified copy of a resolution or other proceeding approving such amendment by the Board of County Commissioners of the County shall have been filed with the Secretary of the Corporation.

ARTICLE SEVEN

These Articles of Incorporation may be amended or repealed in the manner provided by law; provided, however, to the extent permitted by applicable law, after the issuance of any Obligations of the Corporation and while any such Obligations may be outstanding, the provision of Article Three and Article Four (c) hereof may not be amended or repealed unless necessary to comply with the requirements of applicable law, and no articles of amendment shall be delivered to the Secretary of State (and no amendment shall become effective) until a certified copy of a resolution or other proceeding of the Board of County Commissioners of the County approving such amendment shall have been filed with the Secretary of the Corporation.

ARTICLE NINE

The Board of Trustees shall be composed of the members of the Board of County Commissioners of the County and any change in the membership of the Board of County Commissioners shall operate to change the composition of the membership of the Board of Trustees in the manner provided in the By-Laws of the Corporation and in accordance with law. Individual trustees may be removed

and replaced by the Board of County Commissioners at any time at its discretion to the extent provided by law.

ARTICLE TEN

The initial Board of Trustees shall be three (3) in number, their names and street addresses being as follows, until the first election thereof in accordance with the By-Laws of the Corporation:

<u>Name</u>	<u>Street Address</u>	<u>City and State</u>
Dee G. Cowan	Iron County Courthouse	Parowan, Utah 84761
Howard D. Knight	Iron County Courthouse	Parowan, Utah 84761
James L. Clark	Iron County Courthouse	Parowan, Utah 84761

ARTICLE ELEVEN

The name and street address of each incorporator is as follows:

<u>Name</u>	<u>Street Address</u>
Dee G. Cowan	Iron County Courthouse Parowan, Utah 84761
Howard D. Knight	Iron County Courthouse Parowan, Utah 84761
James L. Clark	Iron County Courthouse Parowan, Utah 84761

ARTICLE TWELVE

The location and street address of the initial principal office of the Corporation is as follows:

Iron County Courthouse
Parowan, Utah 84761

The location and street address of the principal office of the Corporation may be changed by amending the By-Laws of the Corporation to set out the new location and street address.

ARTICLE THIRTEEN

The name and address of the registered agent of the Corporation is:

Iron County Courthouse
Parowan, Utah 84761

IN WITNESS WHEREOF, the undersigned incorporators have hereunto set their hands this 12th day of April, 1982.

S/S: James L. Clark

S/S: Howard D. Knight

S/S: Dee. G. Cowan

STATE OF UTAH)
) SS:
COUNTY OF IRON)

I, Cora J. Hulet, a Notary Public, do hereby certify that on this 12th day of April, 1982, personally appeared before me James L. Clark, Howard D. Knight and Dee G. Cowan, who being by me first duly sworn, severally declared that they are the persons who signed the foregoing document as incorporators, and that the statements therein contained are true.

IN WITNESS WHEREOF, i have hereunto set my hand and seal the day year before written

S/S: Cora J. Hulet
Notary Public

Residing at: Parowan, Utah

My commission expires:

March 5, 1985

EXHIBIT C

BY-LAWS

OF

MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH

These By-Laws ("By-Laws") have been adopted for the conduct of the business and affairs of Municipal Building Authority of Iron County, Utah ("Corporation"), subject to the provisions of its Articles of Incorporation and the laws of the State of Utah, at a meeting of the Board of Trustees of the Corporation held in Parowan, Utah, on the 12th day of April, 1982, duly called for that purpose.

ARTICLE I

PROPERTY INTEREST AND NON-LIABILITY
OF TRUSTEES AND OFFICERS

SECTION 1. Nonprofit Character and Property Interest. The Corporation is organized and shall operate as a nonprofit corporation. No trustee or officer of the Corporation shall have any right, title or interest in or to any property or assets of the Corporation either prior to or at the time of the dissolution of the Corporation, all of which properties and assets shall at the time of dissolution be transferred to Iron County, Utah, as provided in the Articles of Incorporation of the Corporation. The property and assets of the Corporation shall not insure to the benefit any private person.

SECTION 2. Non-Liability. No member of the Board of Trustees or officer of the Corporation shall be individually liable upon any indebtedness or liability incurred by the Corporation.

SECTION 3. Activities. The Corporation shall engage only in activities which are essentially public in character.

ARTICLE II

MEETINGS

SECTION 1. Annual Meeting. The annual meeting of the Trustees shall be held on the 4th Monday in April of each year, beginning with year of 1982, at such place within or without Iron County, Utah, as shall be designated in the notice of the meeting, for the purpose of electing trustees (or confirming them in office), electing officers, passing upon reports for the previous fiscal year and transacting such other business as may come before the meeting. It shall be the responsibility of the Board of Trustees to make adequate plans and preparations for the annual meeting. If the day fixed for the annual meeting shall fall on a legal holiday, such meeting shall be held on the next succeeding business day. Failure to hold the annual meeting at the designated time shall not work a forfeiture or dissolution of the Corporation and in the event of such failure the annual meeting shall be held within a reasonable time thereafter.

SECTION 2. Special Meetings. Special meetings of the trustees may be called upon a written request signed by the Chairman of the Board of Trustees, by any two trustees, or by the President, and it shall thereupon be the duty of the Secretary to cause notice of such meeting to be given as hereinafter provided. Special meetings of trustees may be held at any place specified in the notice of the special meetings and need not be held within Iron County, Utah.

SECTION 3. Notice. Written notice stating the place, day and hour of the meeting and, in case of a special meeting or an annual meeting at which business requiring special notice is to be transacted, the purpose or purposes for which the meeting is called, shall be delivered not less than five days nor more than thirty-five days before the date of the meeting either personally or by mail, by or at the direction of the Secretary or upon his default, by any trustee or by the persons calling the meeting, to each trustee. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the trustee at this address as it appears on the records of the Corporation, with postage thereon prepaid. The failure of any trustee to receive notice of an annual or special meeting of the trustees shall not invalidate any action which may be taken by the trustees at any such meeting.

SECTION 4. Quorum. A majority of the total number of trustees shall constitute a quorum. If less than a quorum is present at any meeting, a majority of those present may adjourn the meeting from time to time without further notice.

SECTION 5. Voting. Each trustee shall be entitled to only one vote upon each matter submitted to a vote at a meeting of the trustees. All questions shall be decided by a vote of a majority of the trustees thereon, except as otherwise provided by law, the Articles of Incorporation of these By-Laws.

ARTICLE III

TRUSTEES

SECTION 1. General Powers. The business and affairs of the Corporation shall be managed by a board of three trustees which shall exercise all of the powers of the Corporation.

SECTION 2. Election, Tenure of Office and Removal. At the first annual meeting of trustees in 1982, the members of the Board of Trustees shall be divided into three classes or one member each. The member of the first class shall hold office for a term of one year; the member of the second class shall hold office for a term of two years; the member of the third class shall hold office for a term of three years. At all annual elections thereafter, one trustee shall be elected by a majority of those trustees whose terms have not expired for a term of three years to succeed the trustee whose term then expires; provided that nothing herein shall be construed to prevent the election of a trustee to succeed himself. No trustee shall take office unless he is a member of a Board of County Commissioners of Iron County, Utah. All members of the Board of County Commissioners shall be trustees and these By-Laws shall be appropriately amended if the number of members of the Board of County Commissioners shall be increased or decreased. Any trustee who ceases to be a member of the Board of County Commissioners shall continue to serve as a trustee only until his successor shall have been elected and shall have qualified. To the extent permitted by law, any and all trustees shall be subject to removal from office, with or without cause, upon the filing with the Secretary of the Corporation of a certified copy of a resolution demanding such removal adopted by the Board of County Commissioners of Iron County, Utah, a copy of which resolution shall be recorded in the corporate records. To the extent permitted by law, the Board of County Commissioners shall have power to replace any member of the Board of Trustees so removed in its sole discretion; provided, that no person not a member of the Board of County Commissioners may be elected as a trustee.

SECTION 3. Vacancies. A vacancy occurring in the Board of Trustees shall be filled by the affirmative vote of a majority of the remaining trustees for the unexpired portion of the term; provided, that no person not a member of the County Board of County Commissioners of Iron County may be elected as a trustee.

SECTION 4. Compensation. Neither trustees nor officers shall receive any salary for their services except that by resolution of the trustees, actual expenses of attendance, if any, may be allowed for attendance at meetings of the trustees. In no event shall the total expenses paid to trustees or officers for attendance at meetings during any one year exceed an aggregate of \$200.00. No trustee or officer shall receive compensation for serving the Corporation in any other capacity, nor shall any close relative of a trustee or officer receive compensation for serving the

Corporation. The term "close relative" as used herein shall mean any brother or sister of any officer or any such brother or sister and any spouse of a trustee or officer or any aforesaid person.

SECTION 5. Accounting and Audits. The Board of Trustees shall establish and maintain an appropriate accounting system. A complete audit shall be made of the Corporation's accounts, books, and financial condition after the close of each fiscal year, and a report thereon shall be submitted to the Board of County Commissioners of Iron County.

ARTICLE IV

OFFICERS

SECTION 1. Number. The officers of the Corporation shall be a President, Vice President, Secretary, Treasurer and such other officers as may be determined by the Board of Trustees from time to time to perform such duties as may be designated by the Board of Trustees. Any two or more offices may be held by the same person, except the offices of President and Secretary and the offices of President and Vice President. The President shall be a member of the Board of Trustees but none of the other officers need be members of the Board of Trustees unless otherwise required by applicable law.

SECTION 2. Initial Election of Officers. At the first meeting of the members of the Board of Trustees, the trustees shall elect a President, Vice President, Secretary and Treasurer, who shall serve as the officers of the Corporation until their successors are elected at the next following annual meeting.

SECTION 3. Regular Elections and Term of Office. The officers shall be elected annually by the Board of Trustees at the annual meeting. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until the next annual meeting of the Board of Trustees or until his successor shall have been elected and shall have qualified. Except as otherwise provided in these By-Laws, the Vacancy in any office shall be filled by the Board of Trustees for the unexpired portion of the term.

SECTION 4. Removal of Officers and Agents by Trustees. Any officer or agent of the Corporation may be removed by the Board of Trustees whenever in its judgment the best interests of the Corporation will be served thereby.

SECTION 5. President. The President:

(a) shall be the principal executive officer of the Corporation and, unless otherwise determined by the members of the Board of Trustees, shall preside at all meetings of the Board of Trustees;

(b) may sign any deeds, mortgages, deeds of trust, notes, bonds, contracts, leases, assignments or other instruments authorized by the Board of Trustees to be executed, except in cases in which the signing and execution thereof shall be expressly delegated by the Board of Trustees or by these By-Laws to some other officer or agent of the Corporation, or shall be required by law to be otherwise signed or executed; and

(c) shall in general perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Trustees from time to time.

SECTION 6. Vice President. In the absence of the President, or in the event of his inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall also perform such other duties as from time to time may be assigned to him by the Board of Trustees.

SECTION 7. Secretary. The Secretary shall:

(a) keep the minutes of the meetings of the members of the Board of Trustees in one or more books provided for that purpose;

(b) see that all notices are duly given in accordance with these By-Laws or as required by law;

(c) be custodian of the corporate records and of the seal of the Corporation and affix the seal of the Corporation to documents, the execution of which on behalf of the Corporation under its seal is duly authorized in accordance with the provisions of these By-Laws;

(d) Keep a register of the names and post office addresses of all members of the Board of Trustees;

(e) have general charge of the books of the Corporation;

(f) keep on file at all times a complete copy of the Articles of Incorporation and By-Laws of the Corporation containing all amendments thereto (which copy shall always be open to the inspection of any trustee) and, at the expense of the Corporation, forward a copy of the By-Laws and of all amendments thereto to each member of the Board of Trustees; and

(g) in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the Board of Trustees.

SECTION 8. Treasurer. The Treasurer shall (except to the extent that the Corporation may have assigned its receivables or securities);

(a) have charge and custody of and be responsible for all funds and securities of the Corporation;

(b) be responsible for the receipt of and the issuance of receipts for all moneys due and payable to the Corporation and for the deposit of all such moneys in the name of the Corporation in such bank or banks as shall be selected in accordance with the provisions of these By-Laws; and

(c) in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the Board of Trustees.

SECTION 9. Compensation. The powers, duties and compensation of officers, agents and employees shall be fixed by the Board of Trustees; subject to the provisions of these By-Laws with respect to compensation for trustees and officers and close relatives of trustees and officers.

SECTION 10. Bonds of Officers. The Treasurer and any other officer or agent or Corporation charged with responsibility with for the custody of any of its funds or property shall give bond in such sum and with such surety as the Board of Trustees shall determine. The Board of Trustees in its discretion may also require any other officer, agent, or employee of the Corporation to give bond in such amount and with such surety as it shall determine.

ARTICLE V

NONPROFIT OPERATION

The Corporation shall at all times be operated on a nonprofit basis and no interest or dividends shall be paid or payable by the Corporation to any trustee or officer as such.

ARTICLE VI

ACCOMPLISHMENT OF PURPOSE

This Corporation has been formed to acquire, improve or extend improvements, facilities, or properties and appurtenances to them which Iron County, Utah is authorized or permitted by law to acquire, including, but not limited to public buildings or other structures of every nature or any joint or partial interest in the same, whether or not such improvements, facilities, properties, and appurtenances are situated within the boundaries of Iron County. To fulfill its purpose the Corporation intends to issue its bonds, notes, or other evidences of indebtedness to acquire funds to pay for any acquisition, improvement, or extension of improvements, facilities or properties and appurtenances to them which it is authorized by law to carry out and to pay all cost incidental thereto to the extent permitted by law. After the bonds of the Corporation have been fully paid, it shall forthwith tender

by gift all of the Corporation's right, title and interest in and to any of its assets then remaining to Iron County, Utah.

ARTICLE VII

SEAL

The corporate seal of the Corporation shall be in the form of a circle and shall have inscribed thereon the name of the Corporation and the words "Corporate Seal."

ARTICLE VIII

DISSOLUTION

SECTION 1. Voluntary Dissolution. The Corporation shall be dissolved upon the affirmative vote of all of the members of the Board of Trustees voting upon a motion to dissolve, at a regular or special meeting of the Board of Trustees, in the manner provided by law; provided, however, that no such vote shall take effect and no dissolution of the Corporation shall occur unless there shall have been filed with the Secretary of the Corporation a resolution of the Board of County Commissioners of Iron County, Utah consenting to such dissolution.

The Corporation may not dissolve if at the time of dissolution there would remain outstanding any obligations of the Corporation.

SECTION 2. Distribution of Assets. Upon dissolution, full and unencumbered title to all of the assets of the Corporation shall be tendered by gift to Iron County, Utah.

ARTICLE IX

FINANCIAL TRANSACTIONS

SECTION 1. Contracts. Except as otherwise provided by these By-Laws, the Board of Trustees may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation, and such authority may be general or confined to specific instances.

SECTION 2. Checks, Drafts, etc. All checks, drafts, or other orders for the payment of money, and all note, bonds, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents, employee or employees of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Trustees.

SECTION 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such bank or banks as the Board of Trustees may select.

ARTICLE X

INDEMNIFICATION OF OFFICERS AND TRUSTEES

Each trustee and officer of the Corporation, whether or not then in office, and his personal representatives, shall be indemnified by the Corporation against all costs and expenses actually and necessarily incurred by him in connection with the defense of any action, suit, or proceeding in which he may be made a party by reason of his being or having been such a trustee or officer, except in relation to matters as to which he shall be finally adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of duty. Such costs and expenses shall include amounts reasonably paid in settlement for the purpose of curtailing the costs of litigation, but only if the Corporation is advised in writing by its counsel that in his opinion the person indemnified did not commit such negligence or misconduct. The foregoing right of indemnification shall not be exclusive of other rights to which he may be

entitled as a matter of law or by agreement.

ARTICLE XI

MISCELLANEOUS

SECTION 1. Contracts. Except as otherwise provided in these By-Laws, the Board of Trustees may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation, and such authority may be general or confined to specific instances.

SECTION 2. Fiscal Year. The fiscal year of the Corporation shall begin on the first day of January of each and every year and shall end on the last day of December.

SECTION 3. Waiver of Notice. Any trustee may waive in writing any notice of a meeting required to be given by these By-Laws. The attendance of the trustee at any meeting shall constitute a waiver of notice of such meeting by such trustee, except in case a trustee shall attend a meeting for the express purpose of objecting to the transaction of any business on the ground that the meeting has not been lawfully called or convened.

SECTION 4. Rules and Regulations. The Board of Trustees shall have the power to make and adopt such rules and regulations, not inconsistent with law, the Articles of Incorporation or these By-Laws, as it may deem advisable for the management of the business and affairs of the Corporation.

SECTION 5. Form and Execution of Obligations. Bonds, notes, or other evidences of indebtedness ("Obligations") issued by the Corporation shall be in such form as may be approved by the Board of Trustees and shall be executed in the name of and on behalf of the Corporation by such officer or officers of the Corporation as shall be designated by the Board of Trustees and under the corporate seal of the Corporation. The signature of any officer or officers of the Corporation executing any Obligations or any coupons thereon, or attesting the corporate seal thereon, may be manual or by facsimile, and the corporate seal of the Corporation affixed to any such Obligations may be affixed by impressing, printing, stamping or otherwise affixing upon such instruments any impression or facsimile thereof. In case any officer of the Corporation whose signature shall appear upon any Obligations or coupons shall cease to be such an Officer of the Corporation before such instrument shall have been actually authenticated and delivered, such instrument may nevertheless be authenticated, delivered and issued as though such officer had not ceased to be an officer of the Corporation. In addition, any such instrument may be executed on behalf of the Corporation by any person who at the actual date of the execution thereof shall be the proper officer of the Corporation, even though he shall not be such an officer at the date of such instrument.

SECTION 6. Office and Principal Place of Business. The office and principal place of business of the Corporation shall be located at the Iron County Courthouse, Parowan, Utah 84761.

ARTICLE XII

AMENDMENT

These By-Laws may be altered, amended or repealed by the affirmative vote of two-thirds of the trustees present at any regular or special meeting, provided a quorum as provided in these By-Laws be present and provided the waiver or notice of such meeting shall have contained a copy of the proposed alteration, amendment or repeal. Notwithstanding the foregoing, after the issuance of any securities by the Corporation and while any such securities may be outstanding, Section 1 of Article I, Section 4 of Article III, Article V, and Article VI may not be altered, amended or repealed, and no other amendment shall take effect until a certified copy of a resolution or other proceedings approving such amendment by the Board of County Commissioners of Iron County, Utah, shall have been filed with the Secretary of the Corporation.

I hereby certify that the foregoing is a full, true and correct copy of the By-Laws of Municipal Building Authority of Iron County, Utah a Utah nonprofit corporation, adopted by the Board of Trustees of the Corporation on _____, 1982 and as in effect on this _____ day of _____, 19____.

Secretary

(SEAL)

REGULAR APRIL 26TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, April 26th, 1982, beginning at the hour of 9:00 A. M.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee. G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: Commissioner Howard D. Knight.

Minutes read and approved.

WAIVER &
AGREEMENT

: Mrs. Barbara Brewer of Parowan, appeared for purpose of attempting to obtain from the Commissioners a Waiver of County Building Code requirements as they may relate to building contemplated to be constructed by her on property owned by her some five miles north of Parowan, on the Kane Springs road, in connection with the planned establishment of a "Pioneer Ghost Town."

The Commissioners, after a review of the matter, and upon Mrs. Brewer's expression of a willingness to in turn execute a combination Waiver and Indemnification Agreement, indemnifying Iron County from any loss which may arise as a result of the Waiver, granted the request, and the Waiver and Indemnification Agreement, as prepared by the County Attorney, was executed by the parties. Mrs. Brewer for and on behalf of herself, and Chairman Howard D. Knight, for and on behalf of Iron County.

SUBDIVISION
MATTER

: Mr. Stephen Julien, Esquire, appeared with and for and on behalf of Mrs. Florence Benning, relative to purported subdivision regulation violations. Background Information relative to the matter was first reviewed. After review, it was determined that (1) Circumstances justified the issuance of a one year term temporary building permit to George E. Hunt, reviewable after six months. (2) That Mrs. Benning should have property involved rezoned compatible with action heretofore taken and contemplated. (3) That she should take necessary action to establish an approved subdivision.

On motion duly passed, which was made by Commissioner Dee G. Cowan and seconded by Chairman Howard D. Knight; Gary Tharpe was authorized to follow up on the matter, and in accordance with action taken.

TRANSIENT
ARRANGEMENT

: Dennis Lowder, County Auditor, appeared relative to a number of items, first to object to action taken at the previous meeting by the Board relative to handling of the Transient Indigent Program. At least for the balance of 1982. Explaining that we do not have budgeted funds available to fund the proposed arrangement. At least until the next budget period. The Commissioners found themselves agreeable to modification of their previous action compatible with desire of the Auditor; Richard Garrett of Family Life Services to be advised of the change in proposal.

HOME
HEALTH

: Mr. Lowder also expressed a desire for a clarification of his relationship to the County Home Health Program. To whom should he look to as the fundamental authority in handling matters related to the program? After discussion, it was decided to refer the matter to County Attorney James L. Shumate for Counsel.

MILL
LEVY

: As an additional item, County Auditor Dennis Lowder, reminded the Commissioners of the change in date for setting the mill levy for 1982, and advised that they be giving some preliminary consideration to subject matter.

BUILDING
AUTHORITY

: County Attorney, James L. Shumate, presented the Articles of Incorporation for establishment of the proposed County Building Authority, for further necessary and appropriate action by the Board preparatory for filing by him with the secretary of State. The Commissioners having heretofore read the said Article, and having been fully advised in the matter, executed the same for and on behalf of Iron County, and surrendered them to the County Attorney for filing and/or such further action as may be necessary.

SUBDIVISION
FIRE CONTROL

: A delegation comprised of Rollo Brunson and DeLoy Dutton, representing the U. S. Forest Service, and Ed Story and Ronald Larson, representing the Utah State Forestry and Fire Control Department, met the Commissioners for discussion of problems relative to fire protection and control in mountain and other remote subdivision.

A rather lengthy discussion ensued with respect to responsibilities, local support, education of home owners, etc., concluding with an understanding that the Forest Service would formulate an action program in connection with which the Cooperation of the State Forestry and Fire Control Department and Iron County could be expected.

ROAD

PROGRAM : Rollo Brunson and the Road Supervisor for the Forest Service, then took occasion to review the existing cooperative road maintenance program as between the Forest Service and Iron County. No changes were effected. It was concluded, however, that Mr. Brunson, the Forest Road Supervisor, and the County Road Supervisor should meet on site in an effort to cooperatively resolve the slide problem on the Panquitch Lake Road slightly below lower Castle Valley.

FLOOD

CONTROL : Mr. Gary Tharpe and Mr. Cressell Sherratt, met the Commissioners to further discuss flood control problems in Cedar Valley on the Coal Creek drainage. After a rather in depth discussion, the Commissioners concluded to take no further action on the matter until they had been more fully advised by the County Attorney.

WILDERNESS

AREA : A petition was presented signed by some 127 residents of Kanarraville in opposition to the designation of the Spring Canyon, Utah-040-148 unit as a wilderness area. Upon review of the petition, and an analysis of their own feeling in the matter, the Board went on record as also being opposed to the designation of the subject area as wilderness, and assigned Commissioner James L. Clark, to make such a representation to the appropriate BLM Official.

BASEMENT

RENTAL : Nancy Dalton, Lessee of the Southeast basement room of the County Courthouse, requested that she be permitted to use the room, in addition to her regular dancing schedule, for a one evening public presentation by her students. There being no objection, the request was approved.

She also announced that she contemplated renewing her lease, if agreeable with the Board, on its anniversary date of June 17th, 1982.

PARAGONAH

PROPOSAL : Mrs. Alta Dalton of Paragonah, appeared for purpose of obtaining Commission approval of an application being made by them to the Water Resource Board for a study by them of the feasibility of piping the water down Little Creek, establishing an electrical generating plant, and, under given circumstances, reservoiring the water at the mouth of Little Creek for irrigation by sprinkler system.

The Commissioners looked with favor at this time on conducting of the feasibility study and therefore approved the application as prepared for submission.

GARBAGE
MATTER

: Mr. and Mrs. Dee Walker, of Fifetown, appeared for purpose of protesting assessment levied against them for garbage pickup service. Asserting that they had never used the service nor do they intend to. Following a brief discussion, in which the Commissioners described procedural problems as affected by exception, the matter was tabled for further consideration and a subsequent determination as to whether or not the Walkers are qualified for exclusion.

JAIL

FINANCING : Michael Creamer, of Zion's First National Bank, appeared for purpose of presenting a proposal from the said Bank for financing the proposed Jail project. He explained that this could be accomplished through them in either one of two ways, without the necessity of a successful Bond Election.

1. Creation of a Building Authority, with the authority to build the building and lease the facility to the County.
2. A lease-purchase agreement with Zions First National Bank.

He explained the advantages and disadvantages of each proposal.

The Commissioners explained that they were in process of establishing a Building Authority, that no firm method of procedure had been established to date, but in any event the electorate would not be passed, which would suggest that they would most likely proceed VIA another Bond Election. If when a firm decision is reached, and the services of Zions First National Bank fit into the program, they will be so advised.

AMBULANCE
SERVICE

: Mr. Dahl T. Gardner, and Mark Dalley, Administrator and Assistant Administrator respectively of the Valley View Medical Center, and Dr. Marcus Kuypers, met the Commissioners relative to the pending ambulance service administrative agreement. In connection therewith, a report was made on the advanced EMT program, a general overview made of plan of administration, and a review of the provision of the proposed agreement.

After completion of the discussion and review of the proposed agreement, a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Chairman Howard D. Knight, approving the agreement effective as of June 1st, 1982, Commissioner James L. Clark having been excused earlier was not present and not voting.

It was recommended that insurance coverage for the service be investigated and adequate provisions made.

LAND

PURCHASE : A Quit Claim Deed was presented from Utah International Inc., covering some 80.459 acres of land, which Iron County had heretofore applied to purchase at \$100.00 per acre. This being the land area on which the Iron County Sanitary Landfill is located. The purchase of the property was approved and authorization given for issuance of a check covering the purchase price in sum of \$8,045.00. Also, the documents covering the easements for power lines, etc. were executed.

TAX

MATTERS : A request from the County Treasurer's office for permission to cancel taxes levied for 1978 and 1979 against property listed under Serial Number E-1785-3 and Tax Sale record 41A, page 1152, for reason that they were double assessments, was considered and granted.

HOLIDAY

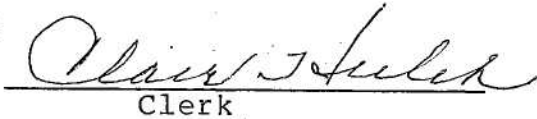
APPROVED : The question as to whether or not the Commissioners favored the County Officials and Employees taking the regular Arbor Day as a holiday, or a special preference day, was considered, and found them favoring Arbor Day, April 30th, 1982.

After bills against the County had either been approved or rejected, the meeting was adjourned.

Approved:


Chairman

Attest:


Clerk

REGULAR MAY 10TH, 1982 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers, at the Courthouse, Parowan, Utah, May 10th, 1982, beginning at the hour at 9:00 A. M.

Officers present:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: Howard D. Knight.

Minutes read and approved.

Minutes of previous F C A O G meeting were reviewed and observations made as to the reaction of the Commissioners to the actions taken. Opposition was expressed to support given by the Organization to the functions formerly exercised by E D A being re-established under a different identity, and as a related action, passed a motion authorizing the preparation and submission of a resolution supporting President Reagan and his program.

INDIGENT

CLAIMS : Mrs. Gloria Taylor, representing the Valley View Medical Center appeared for purpose of obtaining approval for payment to them of \$8,027.23 in claims for medical services rendered to Indigent Persons. After review, appropriate authorization was given for payment.

PROTEST

PRESENTATION : Mr. Glen Crawford, of Cedar City, appeared characterizing himself as an "irate" taxpayer. He went into a rather lengthy discussion which covered, in substance, his training, his experience, and his current relationship with Family Life Services, more especially the later. If there existed any specific conclusion to be drawn as to the purpose of his visit, it was that he objected to Iron County making any cash contribution to programs which were federally funded through Family Life Services. There was no formal action taken by the Commissioners relative to the matter, and none was necessary at this time.

BUILDING

AUTHORITY : At 11:00 A. M. as scheduled on the meeting's agenda, Darrell Larsen, Esq., representing the Law Firm of Chappman and Cutler appeared for the purpose of directing procedure to be followed in establishing a County Building Authority, and subsequent related procedure to be followed in getting the matter before the Supreme Court of the State of Utah for purpose of testing the constitutionality of the Law under which provision is made for

establishment of such an Authority.

Accordingly, under direction of Darrell Larsen, Esq., assisted by County Attorney, James L. Shumate, and after due deliberation, the following Resolution was introduced in written form by Chairman, Howard D. Knight, and was considered in full and in detail. After due discussion of the matters contained in the said Resolution, a call for a vote of adoption and approval thereof was made by the Chairman, whereupon the resolution was adopted and approved by the following vote:

Aye:

Howard D. Knight
Dee G. Cowan
James L. Clark

Upon completion of the meeting, the Resolution was signed by the Chairman of the Board of County Commissioners in open meeting, attested by the County Clerk, and recorded in the Official records of the County as follows:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH, APPROVING A CERTAIN LAW ENFORCEMENT ADMINISTRATION FACILITY TO BE ACQUIRED AND IMPROVED ON BEHALF OF IRON COUNTY, UTAH, BY THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH; AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTAIN AGREEMENT BETWEEN IRON COUNTY, UTAH, AND THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH; APPROVING THE FORMS OF AN AGREEMENT OF LEASE AND A TRUST DEED AND INDENTURE OF TRUST; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION.

WHEREAS, Iron County, Utah (the "County") has organized the Municipal Building Authority of Iron County Utah, (the "Authority") as a nonprofit corporation to acquire, improve, or extend one or more projects and to finance their costs on behalf of the County in accordance with the provisions of the Utah Municipal Building Authority Act, Sections 11-29-1 et seq. of the Utah Code Annotated (1953), as amended (the "Act"); and

WHEREAS, the County desires the Authority to undertake the acquisition and improvement of a certain project pursuant to the Act on behalf of the County constituting a public building and the land therefor to serve as a jailhouse and detention facility, law enforcement administration facility, and appurtenances and facilities related thereto (the "Facility"); and

WHEREAS, inasmuch as the Authority does not have funds to begin the acquisition and improvement of the Facility until the issuance and sale of the Authority's revenue bonds and in order to enable the Authority to begin the acquisition and improvement of the Facility pursuant to the Act for the benefit of the County, the Authority has presented to the Board of County Commissioners that certain Agreement, dated as of May 1, 1982 (the "Agreement"),

in form attached hereto as Exhibit I, to be entered into between the Board and the Authority to accomplish the public purposes of the Act in acquiring and improving the Facility and to set forth their respective duties concerning the Facility; and

WHEREAS, the Authority has presented to the Board the proposed form of an Agreement of Lease, which is attached to Exhibit I hereto as Exhibit A thereto, to be entered into between the County and the Authority with respect to the leasing of the Facility upon completion of the acquisition and improvement thereof, and the Authority has presented to the Board the proposed form of the Trust Deed and Indenture of Trust, which is attached to Exhibit I hereto as Exhibit B thereto, to be entered into between the Authority and a Trustee to be designated hereafter with respect to the issuance of the Authority's revenue bonds to finance the acquisition and improvement of the Facility;

NOW, THEREFORE, Be It And It Is Hereby Resolved By The Board Of County Commissioners Of Iron County, Utah, as follows:

Section 1. The Board hereby approves the acquisition and improvement of the Facility and the financing thereof by the Authority, subject to the Authority's compliance with the requirements of the Act for such a "project" (as such term is defined in the Act), including but not limited to the requirement of Section 11-29-4 of the Act that the Authority shall submit the plans, specifications, and estimated costs of the Facility to the Board for its approval prior to the time that the Authority begins to acquire and improve the Facility and the requirement of Section 11-29-9 of the Act that the Board approve the issuance of the Authority's revenue bonds and the terms of such bonds prior to the issuance thereof.

Section 2. The form, terms, and provisions of the Agreement, in the form presented at this meeting, are hereby approved substantially in the form presented, with such insertions, deletions, and changes as shall be approved by the Chairman of the Board of County Commissioners, the execution of such Agreement being conclusive evidence of such approval; and the Chairman of the Board of County Commissioners is hereby authorized and directed to execute the Agreement, and the County Clerk is hereby authorized and directed to attest to the Agreement and to affix the seal of the County thereto.

Section 3. The forms, terms, and provision of the Lease and the Indenture in the forms presented at this meeting are hereby approved substantially in the forms presented, with such insertions, deletions, and changes as shall be approved by the Chairman of the Board of County Commissioners, the execution

of such documents being conclusive evidence of such approval. The Chairman of the Board of County Commissioners is hereby authorized and directed to execute the Lease, and the County Clerk is hereby authorized and directed to attest to the Lease and affix the seal of the County to the Lease; provided, however, that the Lease shall not be so executed or attested and the County seal shall not be affixed thereto until the Board of County Commissioners has approved the plans, specifications, and estimated costs in accordance with Section 11-29-4 of the Act.

Section 4. The Board hereby ratifies, confirms, and approves all actions heretofore taken by the officers and officials of the County in connection with the organization of the Authority and the proposed financing of the Facility for the benefit of the County to accomplish the public purposes for which the County exists by acquiring and improving the Facility as authorized by the Act. The Board hereby consents to the Authority obtaining legal services from the law firm of Chapman and Cutler in connection with all actions heretofore or hereafter taken for the organization of the Authority and the proposed financing of the Facility.

Section 5. The County Clerk, the County Auditor, the County Treasurer, and the officers and employees of the County shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to, and consummate the transactions contemplated thereby and shall take all action necessary in conformity with the Act to carry out the execution and delivery of the Lease and to fulfill the purposes for which Authority was organized, including but not limited to providing all such services, whether legal, accounting, or auditing, to assist the Authority to begin the acquisition and improvement of the Facility for the benefit of the county and making payment in the manner provided by law of all expenses and costs incurred by the Authority in beginning the acquisition and improvement of the Facility until such time as the Authority shall have sufficient funds for such activities, subject to the County's right to reimbursement from the Authority in accordance with the Act.

Section 6. All resolutions and orders or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect immediately upon its adoption.

Adopted and Approved this 10th day of May, 1982

IRON COUNTY, UTAH

By S/S: Howard D. Knight
Howard D. Knight
Chairman of the Board of
County Commissioners

ATTEST:

By S/S: Clair Hulet
Clair Hulet
County Clerk

Thereupon, the Board of Iron County Commissioners took necessary actions to organize the Building Authority heretofore established.

Howard D. Knight, President
Dee G. Cowan, Vice President
James L. Clark, Secretary

Other routine matters as related to the Authority were also accomplished.

After claims against the County had either been approved or rejected, the meeting was adjourned.

APPROVED:

Howard D. Knight
Chairman

ATTEST:

Clair Hulet
Clerk

REGULAR MAY 24TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah May 24th, 1982, beginning at the hour of 9:00 a. m.

Officers attending were:

Howard D. Knight, Commission Chairman
James L. Clark, Commissioner
Dee G. Cowan, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney
Dennis A. Lowder, Auditor

Invocation: James L. Clark.

Minutes read and approved.

TAX

MATTER

: As the first matter of business, a request presented by the County Treasurer for permission to adjust his records in such manner as to reflect an adjustment necessary to be made to compensate for an excess levy of taxes against property listed under Tax Sale Record 44 A, page 358, due to error in assessed valuation, was considered and approved.

SALARY

MATTER

: Mr. Dennis Lowder, County Auditor, for and on behalf of Sheriff, Ira Schoppmann, presented a request for an increase in salary classification for Judy Turner, Secretary for the Sheriff's Department, from a 3-2 to a 3-4. After full discussion, authorization for customary advance from a 3-2 to a 3-3 was given.

PRECINCT

COURT MATTER

: Mr Gordon Farnsworth, Parowan Precinct Justice, met the Commissioners for purpose of making a record of the fact that they recognize his position as being part time in nature, and of obtaining assurance from them that there is no intention on their part to change its status.

He received the acknowledgment, and the assurance which he sought. He also requested authorization to purchase material through the State Surplus Property Program. This request was tabled, pending consultation with appropriate authorities.

PROFFER TO

PURCHASE

: Mr. Scott Atkin of Cedar City, appeared for the purpose of attempting to purchase from Iron County, a 2 rod by 70 rod strip of land owned by Iron county, traversing a portion of Section 24, Township 35 South, Range 11 West, SLB&M. After a brief discussion, it was concluded to have the property appraised by Gary Tharpe and consider further upon receipt of his report. County Attorney, James L. Shumate, to advise as to necessary procedure to consummate sale.

REZONING

MATTER : Mr. Scott Bulloch, representing the Bulloch Brothers

Engineering Firm, appeared in support of a recommendation, submitted in writing by the Iron County Planning Commission, recommending the following zoning changes:

1. Starwood Ranch Subdivision, located in and being a part of Section 28, Township 35 South, Range 11 West, SLB&M, from a R-5 to an R- $\frac{1}{2}$.
2. Kozal Estates, Unit 2, located in and being a part of Section 21, Township 36 South, Range 17 West, SLB&M, from an A-20 to an R-2.

After a full discussion, a motion was unanimously passed, which was made by Commissioner Dee. G. Cowan, and seconded by Commissioner James L. Clark, accepting and approving the said Planning Commission's recommendation. Mr. Bulloch also discussed briefly flood control matter, and expressed his interest in being offered an opportunity to make a proffer for furnishing County Engineering Services.

RESIGNATION

DALLEN GARDNER : A letter was received from Mr. Dallen Gardner of Cedar City, resigning his position as Chairman and member of the Planning Commission. The Commissioners reluctantly accepted his resignation with a vote of thanks for his dedicated service.

APPOINTMENT : As a consequence of action taken with respect to the foregoing resignation, a motion was unanimously passed, which was made by Commissioner, James L. Clark, and seconded by Commissioner, Dee G. Cowan, appointing, subject to his acceptance, Mr. Foyer Olsen to fill the unexpired term.

RESOLUTION

OF SUPPORT : Thereupon, and consistent with a subject heretofore informally discussed, Chairman Howard D. Knight, orally offered the following resolution and moved for its adoption:

WHEREAS, it comes to our attention that Mr. Dahl Gardner, Administrator of the Valley View Medical Center, has recently developed a strategic Master Plan, subsequently adopted by the Board of Governors of Valley View Medical Center, and

WHEREAS, we are fully cognizant of and recognize the critical need of such a plan,

NOW THEREFORE, we the Board of Iron County Commissioners, go on record this 24th, day of May, 1982, in regular session assembled, as fully supportive of the plan and as well of Dahl Gardner in his diligent effort to up-grade the services of the Facility, and make it more economically viable.

The motion for adoption was duly seconded by Commissioner Dee G. Cowan, and the vote thereon was unanimous.

BUILDING

AUTHORITY : Business not related to that of the Building Authority

having been concluded, the following resolution was introduced in written form by James L. Clark, and was considered in full detail. After due discussion of the matters contained in the said resolution, a call for a vote of a adoption and approval thereof was made by Chairman, Howard D. Knight, whereupon the resolution was adopted and approved by the following vote:

Aye: Howard D. Knight
James L. Clark
Dee G. Cowan

Nay: None

Upon completion of the meeting, the resolution was signed by the Chairman of the Board of County Commissioners in open meeting, attested by the County Clerk and recorded in the Official records of the County as follows:

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH, ORDERING PAYMENT OF CERTIAN EXPENSES FOR THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH, IN CONNECTION WITH THE ACQUISITION AND IMPROVEMENT OF A LAW ENFORCEMENT ADMINISTRATION FACILITY ON BEHALF OF IRON COUNTY, UTAH; AND AUTHORIZING THE TAKING OF ALL ACTIONS NECESSARY TO ENFORCE PAYMENT OF SUCH EXPENSES.

WHEREAS, Iron County, Utah (the "County") has organized the Municipal Building Authority of Iron County, Utah (the "Authority") as a nonprofit corporation to acquire, improve, or extend one or more projects and to finance their costs on behalf of the Cpunty in accordance with the provisions of the Utah Municipal Building Authority Act, Sections 11-29-1 et seq. of the Utah Code Annotated (1953), as amended (the "Act"); and

WHEREAS, the County desires the Authority to undertake the acquisition and improvement of a certain project pursuant to the Act on behalf of the County constituting a public building and the land therefore to serve as a Jailhouse and detention facility, law enforcement administration facility, and appurtenances and facilities related thereto (the "Facility"); and

WHEREAS, inasmuch as the Authority does not have sufficient funds to begin the acquisition and improvement of the Facility until the issuance and sale of its Revenue Bonds under the Act and in order to enable the Authority to begin the acquisition and improvement of the Facility pursuant to the Act for the benefit of the county, the Authority has requested the County to pay certain costs and expenses related to the acquisition and improvement of the Facility, including payment of a claim for certain incorporation expenses and legal fees incurred by the Authority for its organization in accordance with the Act, which claim has been presented to the Iron County Auditor for his investigation and examination as required by law; and

WHEREAS, to permit the Authority to begin the acquisition and improvement of the Facility pursuant to the Act until such time as the Authority shall have sufficient funds for such activities, the Board of County Commissioners, pursuant to its resolution adopted on May 10, 1982, entered into that certain Agreement, dated as of May 1, 1982 (the "Agreement"), with the Authority to accomplish the public purposes of the Act in acquiring and improving the Facility for the benefit of the County and to set forth their respective duties concerning the Facility; and

WHEREAS, Section 3 of the Agreement provides that the County shall make its funds available to pay for legal, accounting, auditing, and other services performed in connection with the acquisition and improvement of the facility subject to the County's right to reimbursement from the Authority for such County funds as are expended in accordance with the Act.

NOW, THEREFORE, Be It And It Is Hereby Resolved By The Board Of County Commissioners Of Iron County, Utah as follows:

Section 1. The claim presented by the Authority to the County Auditor and for which the Board has received and reviewed the report and findings of the County Auditor as set forth in his letter to the Board, dated May 13, 1982, with respect to payment of certain incorporation expenses (including legal fees) incurred by the Authority in the amount of \$505 is hereby allowed and approved. The County Auditor is hereby ordered immediately to draw a warrant on the County Treasurer in the amount of such claim and the County Treasurer is hereby ordered to make payment from available County funds against such warrant to or for the benefit of the Authority.

Section 2. The Board hereby ratifies, confirms, and approves all actions heretofore taken by the officers and officials of the County in connection with the organization of the Authority and the proposed financing of the Facility for the benefit of the County to accomplish the public purposes for which the County exists by acquiring and improving the Facility as authorized by the Act.

Section 3. The County Clerk, the County Auditor, the County Treasurer, and the officers and employees of the County shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to, and consummate the transactions contemplated thereby and shall take all action necessary in conformity with the Act to fulfill the

purposes for which the Authority was organized, including but not limited to providing all such services, whether legal, accounting, or auditing, to assist the Authority to begin the acquisition and improvement of the Facility for the benefit of the County and making payment in the manner provided by law of all expenses and costs incurred by the Authority in beginning the acquisition and improvement of the Facility until such time as the Authority shall have sufficient funds for such activities, subject to the County's right to reimbursement from the Authority in accordance with the Act.

Section 4. The County Attorney is hereby authorized and directed to take all legal action necessary or, in his opinion, advisable to enforce performance of the County's obligations under the Agreement, including enforcement in appropriate legal proceedings against the County Auditor, the County Treasurer, and the County Clerk to require each of them to perform their respective statutory duties as ordered and directed by the Board in accordance with law for the County Auditor to draw a warrant for payment of the expenses ordered to be paid in Section 1 hereof, for the County Treasurer to make payment against such warrant as ordered in Section 1 hereof, for the County Clerk to attest to the Agreement and affix the County Seal thereto, and for the County Auditor and the County Treasurer to take all such actions hereafter for the payment of costs, fees, and expenses on behalf of the Authority as ordered and directed by the Board.

Section 5. All resolutions and orders or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this Resolution shall be in full force and effect immediately upon its adoption.

Adopted and Approved this 24th day of May, 1982.

IRON COUNTY, UTAH

By S/S: Howard D. Knight
Chairman of the Board of
County Commissioners

ATTEST:

By S/S: Clair Hulet
County Clerk

APPROVED as to form:
May 24, 1982

By S/S: James L. Shumate
Iron County Attorney

(Other business not pertinent to the above appears in the minutes of the meeting.)

Pursuant to motion duly made and carried, the meeting was adjourned. 5

By: Howard D. Knight
Howard D. Knight
Chairman of the Board of
County Commissioners

ATTEST:

By: Clair Hulet
Clair Hulet
County Clerk

SPECIAL MEETING JUNE 7TH, 1982

The Board of County Commissioners of Iron County, State of Utah, met in special public session on the 7th day of June, 1982, at the hour of 11:00 o'clock A. M. at the regular meeting place of said Board in the County Courthouse in Parowan, Utah. The meeting was called to order and on roll call the following members were determined present:

Howard D. Knight,	Chairman
Dee G. Cowan,	Commissioner

Absent:

James L. Clark,	Commissioner
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There were also present:

Clair Hulet,	Clerk
James L. Shumate,	County Attorney

The County Clerk presented to the Board an affidavit evidencing the giving of not less than twenty-four (24) hours public notice of the Agenda, date, time, and place of the June 7, 1982 special meeting of the Board in compliance with the requirements of Section 52-4-6(2), Utah Code Annotated (1953), as amended, by (1) posting written notice of the meeting at the principal office of the Board in the County Courthouse and (2) providing notice to at least one newspaper of general circulation within the geographic jurisdiction of Iron County, or to a local media correspondent, The affidavit was ordered recorded in the minutes of the meeting and is as follows:

STATE OF UTAH)
)
COUNTY OF IRON)

I, the undersigned, the duly qualified and acting County Clerk of Iron County, Utah, do hereby certify, according to the records of said County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated (1953), as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the June 7, 1982 public meeting held by the Board of County Commissioners of Iron County, Utah, by:

(a) causing the Notice of Public Meeting to be posted at the principal office of the Board in the County Courthouse in Parowan, Utah, on June 4, 1982, at least twenty-four (24) hours before the convening of the meeting, in the form attached hereto as Exhibit A; said Notice of Public Meeting having continuously

remained so posted and available for public inspection during the regular office hours of the County until the convening of the meeting; and

(b) causing a copy of the Notice of Public Meeting in the form attached hereto as Exhibit A to be provided on June 4, 1982, at least twenty-four (24) hours before the convening of the meeting, to the Iron County Record, a newspaper of general circulation within the geographic jurisdiction of Iron County, and to each local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the Board of county Commissioners.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of Iron County, Utah, this 7th day of June, 1982.

S/S: Clair Hulet
County Clerk,
Iron County, Utah

(SEAL)

EXHIBIT "A"

SPECIAL SESSION OF THE IRON COUNTY COMMISSION - JUNE 7, 1982

11:00 A. M. Resolution for the Municipal Building Authority of
Iron County

Thereupon following resolution was introduced in written form by Dee G. Cowan, and was considered in full and in detail. After due discussion of the matters contained in the said resolution, a call for a vote of adoption and approval thereof was made by the Chairman, whereupon the resolution was adopted and approved by the following vote:

Aye: Howard D. Knight

Dee G. Cowan

Nay: None

Upon the completion of the meeting, the resolution was signed by the Chairman of the Board of County Commissioners in open meeting, attested by the County Clerk and recorded in the official records of the County, and is as follows:

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH, AUTHORIZING AND DIRECTING THE FILING OF A COMPLAINT TO ENFORCE PAYMENT FROM COUNTY FUNDS BY THE COUNTY AUDITOR AND THE COUNTY TREASURER OF CERTAIN EXPENSES ON BEHALF OF THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH, AND TO ENFORCE PERFORMANCE OF CERTAIN DUTIES BY THE IRON COUNTY CLERK, ALL IN CONNECTION WITH THE ACQUISITION AND IMPROVEMENT OF A LAW ENFORCEMENT ADMINISTRATION FACILITY ON BEHALF OF IRON COUNTY, UTAH; AND AUTHORIZING THE TAKING OF ALL ACTIONS NECESSARY TO ENFORCE PAYMENT OF SUCH EXPENSES AND PERFORMANCE OF SUCH DUTIES.

WHEREAS, Iron County, Utah (the "County") has organized the Municipal Building Authority of Iron county, Utah (the "Authority") as a nonprofit corporation to acquire, improve, or extend one or more projects and to finance their costs on behalf of the County in accordance with the provisions of the Utah Municipal Building Authority Act, Sections 11-29-1 et seq. of the Utah Code Annotated (1953), as amended (the "Act"); and

WHEREAS, the County desires the Authority to undertake the acquisition and improvement of a certain project pursuant to the Act on behalf of the County constituting a public building and the land therefor to serve as a jailhouse and detention facility, law enforcement administration facility, and appurtenances and facilities related thereto (the "Facility"); and

WHEREAS, inasmuch as the Authority does not have sufficient funds to begin the acquisition and improvement of the Facility until the issuance and sale of its Revenue Bonds under the Act and in order to enable the Authority to begin the acquisition and improvement of the Facility pursuant to the Act for the benefit of the County, the Authority has requested the County to pay certain costs and expenses related to the acquisition and im-

provement of the Facility, including payment of a claim for certain incorporation expenses and legal fees incurred by the Authority for its organization in accordance with the Act, which claim was presented to the Iron County Auditor for his investigation and examination as required by law; and

WHEREAS, to permit the Authority to begin the acquisition and improvement of the Facility pursuant to the Act until such time as the Authority has sufficient funds for such activities, the Board of County Commissioners, pursuant to its resolution duly adopted on May 10, 1982 (the "May 10 Resolution"), entered into that certain Agreement, dated as of May 1, 1982 (the "Agreement"), with the Authority to accomplish the public purposes of the Act in acquiring and improving the Facility for the benefit of the County and to set forth their respective duties concerning the Facility; and

WHEREAS, Section 3 of the Agreement provides that the County shall make its funds available to pay for legal, accounting, auditing, and other services performed in connection with the acquisition and improvement of the Facility, subject to the County's right to reimbursement from the Authority in accordance with the Act for such County funds as are expended; and

WHEREAS, the County Auditor, by letter to the Board, dated May 13, 1982, disapproved payment from County funds of said claim submitted to the County by the Authority based on certain constitutional issues raised by the County Auditor; and

WHEREAS, the Board duly adopted its resolution on May 24, 1982 (the "May 24 Resolution"), ordering the County Auditor immediately to draw a warrant on the County Treasurer in the amount of such claim and the County Treasurer to make payment from available County funds against such warrant to or for the benefit of the Authority; and

WHEREAS, the County Auditor and the County Treasurer, by letter to the Board dated May 25, 1982, refused to take any action to pay such claim from County funds until appropriate legal proceedings had resolved the constitutional issues raised by the County Auditor; and

WHEREAS, the Board authorized and directed the County Clerk in Section 2 of the May 10 Resolution to attest to the Agreement and affix the County Seal thereto; and

WHEREAS, the County Clerk, by letter to the Board dated May 14, 1982, refused to attest to the Agreement or affix the County seal thereto based on certain constitutional issues raised by the County Clerk; and

WHEREAS, Section 4 of the May 24 Resolution authorized and directed the County Attorney to take all legal action necessary or, in his opinion, advisable to enforce performance of the County's obligations under the Agreement, including enforcement in appropriate legal proceedings against the County Auditor, the County Treasurer, and the County Clerk to require each of them to perform their respective statutory duties as ordered and directed by the Board in accordance with law for the County Auditor to draw a warrant for payment of the expenses ordered to be paid in Section 1 of the May 24 Resolution for the Authority's claim, for the County Treasurer to make payment against such warrant as ordered in Section 1 of the May 24 Resolution, and for the County Clerk to attest to the Agreement and affix the County seal thereto in accordance with the May 10 Resolution; and

WHEREAS, in accordance with the May 24 Resolution, the County Attorney, by letter dated May 28, 1982, advised the County Auditor, the County Treasurer, and the County Clerk of the Board's position that each of such officers perform their respective duties on behalf of the County and ordered and directed in the May 10 Resolution and the May 24 Resolution (hereinafter sometimes collectively referred to as the "Resolutions"), and set forth the constitutional basis for the Board's position; and

WHEREAS, the County Auditor, the County Treasurer, and the County Clerk, by their respective letters to the Board dated June 2, 1982, stated their final refusal to perform any such official duties until certain constitutional issues had been resolved in appropriate legal proceedings; and

WHEREAS, the Board has determined that it is in the best interest of the County to enforce performance by the County Auditor, the County Treasurer, and the County Clerk of their respective duties in connection with the County's obligations under the Agreement and for the acquisition and improvement of the Facility by filing appropriate legal proceedings to resolve the constitutional issues that the County Auditor, the County Treasurer, and the County Clerk have raised;

NOW, THEREFORE, Be It And It Is Hereby Resolved By The Board Of County Commissioners Of Iron County, Utah, as follows:

Section 1. The Chairman is hereby authorized and directed to cause to be instituted in the Fifth Judicial District Court of Iron County, State of Utah, an action for declaratory judgment and/or a writ of mandamus seeking the Court's determination and declaration that:

(a) The Act, the establishment and operation of the Authority pursuant to the Resolutions and the Board's resolution adopted on April 12, 1982, the Agreement, the Lease (as such term is defined in the May 10 Resolution), and the Indenture (as such term is defined in the May 10 Resolution) relating to the Facility, are constitutional and in compliance with the laws of the State of Utah and that there are thereby no violations of:

(i) Sections 3 and 4 of Article XIV of the Utah Constitution in that the obligations of the Authority are not indebtedness of the County;

(ii) Section 29 of Article VI of the Utah Constitution in that there is no improper delegation of powers from the County to the Authority under the Act and relevant documentation;

(iii) Sections 3 and 4 of Article XIV of the Utah Constitution in that the Authority is not the later ego of the County, and the Authority is not a means to evade the limitations of Section 4 of Article XIV of the Utah Constitution without the Election as required by Section 3 of Article XIV of the Utah Constitution;

(iv) Section 29 of Article VI of the Utah Constitution in that the County is not lending its credit to the Authority in relation to the Authority's operation and projects;

(v) Law and Constitution of the State of Utah in the mortgaging, pledging or encumbering of property of the County pursuant to the terms of the Act; or

(vi) The Constitution of the State of Utah in defining projects to include improvements to facilities already existing and owned by the County.

(b) The Authority is legally organized and existing pursuant to the Act and the laws of the State of Utah.

(c) All actions, resolutions and proceedings taken by the County and the Authority relating to the establishment of the Authority under the Resolutions and the operation of the Authority relating to the Facility are legal, valid and binding and in compliance with the Constitution and laws of the State of Utah.

(d) It is proper and appropriate under the laws of the State of Utah for the Iron County Auditor and the Iron County Treasurer to take the appropriate ministerial action to ensure the payment of the claims of the Authority relating to initial organizational costs of the Authority and to proceed to pay any other claim of the Authority against the County made pursuant to the Act and the Resolutions and for the Iron County Clerk to take the appropriate ministerial

actions to attest to the relevant documents and affix the County Seal thereto relating to the Facility and any other such projects of the Authority pursuant to the Act and the Resolutions.

(e) The Agreement, the Lease, and the Indenture are legal, valid, and binding obligations of the parties thereto according to their terms and are in compliance with the laws of the State of Utah and the Authority's Bonds when issued will be valid and binding obligations of the Authority.

(f) For such other relief as the Court deems just and proper.

Section 2. The County Attorney is hereby authorized and directed to advise the Chairman in connection with the action to be instituted pursuant to Section 1 hereof, to represent the Board in such action, and to take all legal action necessary or, in his opinion, advisable to enforce performance by the County Auditor, the County Treasurer, and the County Clerk of their respective duties on behalf of the Authority as ordered and directed by the Board in accordance with the Resolutions and as provided by law.

Section 3. All resolutions and orders or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect immediately upon its adoption.

Adopted and Approved this 7th day of June, 1982.

IRON COUNTY, UTAH

By S/S: Howard D. Knight
Chairman of the Board of
County Commissioners

ATTEST:

By S/S: Clair Hulet
County Clerk

(SEAL)

APPROVED as to form:
June 7, 1982

By S/S: James L. Shumate
Iron County Attorney

Pursuant to motion duly made and carried, the meeting was adjourned.

by Howard D. Knight
Chairman of the Board of
County Commissioners

ATTEST:

By Clair Hulet
County Clerk

STATE OF UTAH)
)
COUNTY OF IRON)

I, Clair Hulet, do hereby certify that I am the duly qualified and acting County Clerk of Iron County, Utah.

I further certify that the above and foregoing constitutes a true and correct copy of the minutes of a special public meeting of the Board of County Commissioners of Iron County, Utah, held on the 7th day of June, 1982, and of a resolution adopted at said meeting insofar as said minutes pertain to the matters above set forth, as said minutes and resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribe my official signature and affixed the seal of Iron County, Utah, this 7th day of June, 1982.

S/S: Clair Hulet
Iron County Clerk

(SEAL)



REGULAR JUNE 14th, 1982 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah June 14th, 1982, beginning at the hour of 9:00 a. m.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk

Invocation: James L. Clark

Minutes read and approved.

BUDGET

MATTER : As the first matter of business, the Commissioners gave audience to Mr. Dale Hatch, Esq., of Cedar City, candidate for the office of Iron County Attorney, who appeared for purpose of presenting and discussing a proposed budget for that department for the calendar year 1983. He pledged, if elected his full time to the position, but argued the necessity and/or adviseability of a part-time deputy, expressing, that in his opinion, adequate service would require a budget of \$80,000.00. He supported his proposal with comparative figures for like services being furnished in other counties. Subsequently, Mr. Scott Jay Thorley, Esq., also a candidate for the office of County Attorney, appeared for the same purpose. He proffering full time service with a part time deputy, and a total budget figure of \$77,500.00.

The Commissioners advised both candidates that serious consideration would not be given to the budget until early November, but that their proposal would be considered at this time only to extent, it may impact the 1982 tax levy.

FIRE

DEPARTMENT : Mr. Albert M. Orton, Parowan City Fire Chief, met the Board for purpose of bringing them up to date on the City Fire Department's activities. Among items included in the report was the announcement that the city had recently purchased a new fire truck, which in and of itself necessitated the providing of additional housing space, and in connection therewith, sought financial assistance from Iron County. Explaining that the cost of a pre-fab building 40 X 40 feet, not erected, would run an estimated \$14,000.00 plus the cement slab, in place at some \$7,000.00. The hope being that Iron County could be induced to participate to the extent of purchasing the building, with the City Fire Department to do the construction work, including laying of the slab. Mr. Orton also explained that there existed a possibility of obtaining a dismantled building from Brianhead, and if this is accomplished the cost of the building will be considerably less.

The Commissioners made no formal commitment, but agreed to participate to the extent of available funds as determined at time the budget is set.

CEDAR CITY
PRESENTATION

: A delegation representing Cedar City Corporation, comprised of Mayor, Robert Linford; Councilmen, Conrad Hatch, and Tom Cardon; City Attorney, Robert Braithwaite; and City Manager, Joe Melling, appeared for consideration of a number of items of mutual interest to City and County.

1. Cedar City's recreation program as it relates to other than Cedar City residents. A rather in depth discussion ensued covering most facets of the subject, but primarily related to funding. Cedar City explaining that they had experienced a short fall in their revenues for this purpose to which the failure of Iron County to continue with its customary support had contributed. Accordingly, they sought a firm commitment from the Commissioners that they would reinstate their cooperative recreation program, and through which assure Cedar an appropriation of at least \$3,500.00. Further discussion was had on the subject geared more specifically to the probability of obtaining the financial cooperation of Enoch Town, since they were the principal participants outside the corporate limits of Cedar City. In as much, however, as Cedar City had already contacted Enoch Town on the matter, and been rejected, this possibility seemed remote at the time.
2. The second item to be presented for consideration was the contemplated Cooperative Fire Suppression budget for Fiscal year 1982-83. The delegation advising that the projected amount for said Fiscal period was in the amount of \$166,730.00. As per the existing Agreement among the parties; 60% Cedar City and 40% Iron County, this would result in the sum of \$66,692.00 for Iron County for calendar year 1983, or an increase of \$11,152.00 over amount budgeted for 1982.
3. The third item was a request that Iron County restore the \$4,000.00 per year appropriation to the Cedar City Airport fund. An item which was omitted by the County from its 1982 budget due to lack of funds.

The Commission advised the delegation that their requests and recommendations would be given full consideration at the appropriate time, and such action taken as would be consistent with available revenue and other demands upon them.

BUDGET
HEARING

: At 1:30 p. m. as scheduled and with due and proper notice thereon given, a hearing was held on a proposal to open the 1982 Budget and increase the 1982 appropriation for the following departments:

1. Public Defender's Department by	\$12,000.00
2. Solid Waste Disposal by	\$10,000.00
3. Public Health Department by	\$17,000.00
4. Public Welfare Department by	<u>\$25,000.00</u>
Total Proposed Increase	\$64,821.00

Following a brief review of the matter, a motion was unanimously passed, which was made by Commissioner, James L. Clark, and seconded by Commissioner, Dee G. Cowan, approving the proposal and/or request.

1982 TAX

LEVIES : After the 1982 Budget had been opened and the recommended increases approved, the Commissioners turned their attention to fixing of the 1982, County Tax Levies. Information presented by the County Auditor relative to the subject matter having been weighed and a general consensus arrived at with respect to the amount of revenue required to be raised by general property taxes, a motion was duly and unanimously passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, fixing, setting, and establishing the 1982 tax levy to be as follows:

General Fund	11.77 Mills
County Library	.49 Mills
Bond Redemptions	.96 Mills
Public Health	.70 Mills
Capital Reserve	<u>3.20 Mills</u>
Total County	17.12 Mills

B L M

REPORT : Craig Zufelt and Dennis Curtis, representing the Bureau of Land Management, met the Commissioners to report on the status of and options open for handling pending application for a permit from the B L M to the applicant for use of Black Mountain as a Ski Resort, and other pertinent and related information concerning the 320 acre comprising said Black Mountain

In substance, the delegates reported that probably the most satisfactory action for the B L M to take with respect to the whole matter, was to offer the land for sale on a sealed bid basis with preference running to adjacent land owners. In order to accomplish this they must first amend their land use plan, the proposal for which will be available for public review, July 11th, 1982.

Minimum bid to be appraised value.

Open House schedule for June 30th, 1982, from 7:00 to 8:00 p. m. for comments on planning amendment.

SHERIFF'S

EMPLOYEE : Sheriff Ira Schoppmann, advised the Commissioners that he needed another full time Jailer. In as much as this was not an agenda item, formal action on the request was continued to the next regular meeting.

STATE FAIR

REPRESENTATIVE : In response to request from the Utah State Fair Board, Mrs. Marva Esplin, County Home Demonstration Agent, was, subject

to her acceptance, appointed as Iron County's representative to the Utah State Fair Home Arts Department.

SUBDIVISION

NON-COMPLIANCE : Commissioner James L. Clark, advised the other Board members, that Mrs. Florence Behning had still not complied with a previous request made of her to comply with the County's Subdivision Ordinance. After discussion, it was concluded to ask County Attorney, James L. Shumate, to write a letter to her demanding that she do so.

TEMPORARY

VARIANCE : Through Commissioner Clark a question related to the division into specific interests of property held by family members under undivided interests without going through subdivision proceedings, was discussed. The specific case in point at this time involving property in which Richard Stucki, Frank Holmes, Robert D. Corry, etal, were interested. The opinion seemed to prevail that a subdivision should and would not be required, but a zone change would be necessary. Accordingly, a temporary waiver was awarded to Robert D. Corry, in order that he might commence construction of his building while Zone changing was in process.

VETERAN'S

EXEMPTIONS : The County Auditor's office presented a number of 1982 applications for Veterans Tax Exemptions for the Boards examination, approval, or rejection. In as much as all those presented seemed to comply with legal requirements, a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, expressing their approval.

REGISTRATION

AGENTS : The requirements that the Board of County Commissioners appoint and/or reappoint Registration Agents for the next two year period, was called on for consideration. Following a brief review, a motion was unanimously passed, reappointing, subject to their acceptance, all agents now serving. The motion was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark.

FIRE

ORDINANCE : At the suggestion of Commissioner, James L. Clark, it was concluded to ask County Attorney, James L. Shumate, to examine the County Ordinance on open burning, and make such recommendations for changes as he deems to be appropriate.

SHAKESPEAREAN

FESTIVAL : A letter received from Gerald R. Sherratt, President of S U S C, requesting a contribution from Iron County in

support of the Shakespearean Festival, was considered and the requested amount of \$325.00 approved for payment. It being recommended that it be channeled through the Room Tax account.

STATE

ASSESSMENTS

: Commissioner, Dee G. Cowan, having met recently with the Officials of the State Association of Counties, and at that meeting having pledged Iron County's support, subject to confirmation by the other Board members, to the legal investigation being sponsored by the State Association into the equity or lack of equity existing between state assessed properties and properties assessed by County Assessor, now sought that confirmation. This he unanimously received.

After bills against the County had either been approved or rejected, the meeting was adjourned.

APPROVED:


Chairman

ATTEST:



Clerk

REGULAR JUNE 28TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, beginning at the hour of 9:00 A. M.

Officers in attendance were:

Howard D. Knight, Commission Chairman
James L. Clark, Commissioner
Dee G. Cowan, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: Howard D. Knight.

Minutes approved as read.

MOUNTAIN

BELL : A delegation, representing Mountain Bell Telephone Company, and comprised of Milton Nelson, Steven Stanfield, and Dee Jensen, appeared in the interest of further development of Home Numbering and Street Signing in the County outside the corporate limits of Parowan and Cedar City. Explaining that it would expediate the work of providing service by their Firm to the degree that they are willing to pledge themselves to supply the house numbers and appropriate the sum of \$9,000.00 to \$9,500.00 in cash as contribution toward funding the project, and indicating that there exists the possibility of other public service businesses who may also be willing to participate financially. Since the Board seemed to favor the proposal, a proposed agreement as between the parties was scheduled for review by Milton Nelson of Mountain Bell and James L. Shumate, County Attorney, the afternoon of the 28th day of June, 1982, and such further action as would seem to be appropriate under the circumstances to be subsequently taken.

BUILDING

MORATORIUM : Mr. Steve Williams, Manager Brian Head Town, Incorporated, appeared relative to a proposed Building Moratorium covering certain specified areas in the vicinity of Brian Head, and designed as a protection zone around designated Springs being used or intended to be used as a culinary water supply. At the request of Brian Head, the County Planning Commission having recommended that the Board of Iron County Commissioners take such action.

Following a full discussion of the matter, the Board declined to approve the recommendation for a Building Moratorium covering the designated area, but in the alternative, agreed, upon the presentation by Brian Head of convincing evidence that machinery was in fact in motion to annex the property involved, to advise the State Health Department, in the interest of preventing water contamination, not to

issue permits for customary waste disposal, which action in and of itself would preclude the County Building Inspector from issuing building permits.

WAIVER OF TERMS

BUILDING PERMIT: Mr. Gary Tharpe, County Building Inspector, appeared for purpose of reporting that Los Angeles Water and Power of the Intermountain Power Project had applied for a waiver of the normal terms and condition of their building permit issued to them by Iron County for construction of a microwave station. More specifically, the requirement that construction must be commenced within 120 days, and additional improvement be accomplished each 180 days. After review, the Commissioners saw no problem to be created by granting the request, and accordingly passed a motion which was made by Commissioner Dee G. Cowan and seconded by Commissioner James L. Clark, waiving the requirement that the aforementioned conditions be met within the stated time frame.

APPOINTMENT : Upon the unanimous approval of a motion made by Commissioner Dee G. Cowan and seconded by Commissioner James L. Clark, Sheriff Ira Schoppman's request for changing David Williams from a part time to a full time Deputy was approved.

PURCHASES

AUTHORIZED : Sheriff Ira Schoppmann, was also authorized to purchase first aid kits out of Civil Defense funds.

The opportunity to purchase at least two and possibly four giant wheel rims for use at recreation centers as barbeque pits, was considered, and authorization given for purchase of as many of the four as are finally available.

LICENSE

APPLICATIONS : The application of Larry M. Bowsman, Clarence N. Lewis, Joseph E. Miner, and Luzon Forsyth, for business licenses were considered and approved.

SPECIAL USE

PERMIT : The opinion and recommendation of County Attorney, James L. Shumate, with respect to the Forest Service special use permit at the Wood's Ranch recreation area, having been received and its contents noted, a motion was duly passed which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, authorizing Chairman Howard D. Knight to execute the permit for and on behalf of Iron County. The action being taken subject to the understanding and assurance of the County Attorney, that the said permit covered only easement for the pipe line and storage facility and none other.

The bills against the County having been approved or rejected, the meeting was adjourned.

APPROVED: Howard D Knight
Chairman

ATTEST: Clair Huleb
Clerk

REGULAR JULY 12TH, 1982, MEETING

Minutes of a regular meeting of the Board of County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, July 12th, 1982, beginning at the hour of 9:00 A. M.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: Dee G. Cowan.

Minutes of previous meeting read and approved, subject to an Amendment to paragraph 1 of page 2, naming "specified conditions" referred to.

RADAR EQUIPMENT : As the first matter of business, the Board considered a request from Don Christensen and Roger Bagley of the Highway Patrol for two Radars for use by them in their activities. The Commissioners, after having determined that they had budgeted funds for this purpose and that the money was available, approved the request.

DANCE WOOD'S RANCH : Through Commissioner, Dee G. Cowan, David Taylor, head of the Activities Department at the Southern Utah State College, requested and received authorization to stage a dance at the Wood's Ranch Recreation Park, July 15th, 1982.

TELEVISION : Mr. Douglas Nielson, of Monroe, Utah, Television Engineer for the University of Utah primarily concerned with Channel Seven (7), met the Board briefly for review of the status of Television Seven in the County. Suggested that the Commissioners ascertain as to whether or not an Application had been filed with FCC for Channel Eleven (11) UHF.

GAS-O-HOL PLANT : Mr. Norman Budd and Garth Sherratt, appeared for purpose of discussing with the Commissioners their objective of establishing a plant to produce alcohol from grain and of marketing the by-product as animal food. They explained that basis to their preparation was the need for a special use permit from Iron County. The Commissioners concluded, upon review, that no legal obstacles existed, and upon the unanimous approval of a motion made by Commissioner James L. Clark, seconded by Commissioner Dee G. Cowan, issuance of the permit reviewable and renewable each year at or near its anniversary date, was authorized.

SALARIES : Sheriff Ira Schoppmann, and Sargent Frank Slack, presented a request for salary adjustment through reclassification under the existing step program, of the following members of the Sheriff's department:

1. Frank Slack, from 12-2 to 13-2.
2. John R. Williams, from 13-5 to 13-7.
3. Ron Gardner, from 9-2 to 9-4.

All were approved as recommended.

JERIMIAH RANCH : Mr. Stan Sorensen, representing Summit Ranch Associates, Inc., appeared for purpose of obtaining the final approval of a subdivision to be known as Jerimiah Ranch, Inc., located in and being a part of Sections 17, 18, 19, and 20, Township 34 South, Range 9 West, SLB&M. The Commissioners, having satisfied their minds as to existing questions they had with respect to the project by a question and answer series with Mr. Sorensen, on motion duly passed, made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, approved the request. The motion also included a provision that Richard N. Kimball, who had signed the Plat as County Engineer and who in fact is not the County Engineer, be authorized and recognized to act in this instance only as reviewing Engineer due to conflict of interest of Ralph B. Platt.

The question of delivery of a Quit Claim Deed from Iron County to the Applicants to erase the possibility of Iron County having any claim to property described as:

Beginning at the SW Corner of Lot 1, Unit 1, Mountain View Ranchettes, South 240.4 feet, W. 664 feet, N. 240.4 feet and E. 664 feet.

was discussed, but was not authorized since such a possibility was considered remote.

FAIR GROUNDS : Mr. John C. Pendleton, Mayor of Parowan City, and Larry Pendleton, representing a committee dealing with improvements at the City Race Track and Rodeo Arena, appeared with respect to a number of items.

First, to remind the Commissioners that the County will be charged a fee of \$250.00 per day for use of the Race Track and Rodeo Arena facility during the Iron County Fair, as well as 5% of Concessions.

Second, that they are planning the construction of some new stables on the said premises to be constructed of cinder block to reduce fire hazard, and accordingly, were soliciting a cash contribution from Iron County for this purpose, hopefully in the amount of \$1,500.00. The Board advised the delegation

that they had budgeted X amount of dollars for the County Fair this year, and whatever the County's contribution might be toward the stable project would have to come from this appropriation. Wherefore, no commitment can or should be made until after they had had an opportunity to consult with the President of the County Fair Board.

Some mention was made of plans for a Golf Course, but the Commissioners were quick to respond in the negative to County participation in such a venture.

Thereupon, Mayor Pendleton brought up the much talked about curb, gutter, and sidewalk improvement project at the County Rest Home. Following a brief discussion, it was concluded that initial plans and recommendations be worked out through a meeting between Chairman Knight and Mayor Pendleton.

Mayor Pendleton then requested that Iron County reinstate the County contribution to the City Air Port. The Board explained their reason and justification for deleting the appropriation for Air Ports in their 1982 budget, and emphasized the need for an accounting by recipients for the manner in which funds heretofore appropriated had been expended. Mayor Pendleton agreed that such a report would be forth coming.

EQUALIZATION

DATES : Mr. Steve Grimshaw, County Assessor, appeared before the Board relative to setting Equalization dates for the year of 1982. Explaining that it will be impossible to get the tax notices out on time, and since there is no purpose of holding Equalization meetings prior to mailing of tax notices, he recommended the dates of August 23rd to 27th, inclusive, and the 30th and 31st, from 10:00 A. M. to 4:00 P. M.

The Commissioners adopted the proposal.

BUSINESS

LICENSES : Two applications for Business Licenses were presented for consideration.

With respect to the first, that of Ronald I. Brown, the matter was referred to Gary Tharpe for investigation and report before formal action is taken.

The second, that of Nora L. Whitney, was tabled, and James L. Shumate, County Attorney, assigned to advise the applicant of action necessary by her to obtain approval. Principally that of rezoning.

After bills against the County had either been rejected or accepted, the meeting was adjourned.

ATTEST:

Clerk

APPROVED:

Chairman

REGULAR JULY 26TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, July 26th, 1982, beginning at the hour of 9:00 a. m.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk

Invocation: Howard D. Knight.

Minutes read, and with minor adjustments approved.

AUDIT
REPORT

: As the first matter of business, the Commissioners gave audience to Mr. Worth Grimshaw and Neal R. Curtis, representing the Accounting Firm of Worth Grimshaw and Associates, to present the 1981 Iron County Public Audit report recently completed by them.

After review and a discussion session, a motion was unanimously passed, which was made by Commissioner James L. Clark and seconded by Commissioner Dee G. Cowan, accepting the Report, and directing that, consistent with recommendations embodied in the report, the following course of action be taken:

- (1) The bond of the Iron County Treasurer be raised to \$180,000.00, effective immediately.
- (2) Dennis Lowder, County Auditor, be and is hereby directed to prepare and present to the Commissioners at their first December 1982 meeting a proposed Personnel Procedure Policy, with authority to use such resources as may be available to assist him in the preparation.
- (3) Dennis Lowder, County Auditor, being further directed to prepare a schedule or account of Fixed Assets ready for presentation at the second meeting of the Board in December 1982.
- (4) Adopt option 2, providing that checking accounts of the various Departments be subject to withdrawal by the County Treasurer only, with following exceptions:
 - (A) Funds under control and jurisdiction of the Court.
 - (B) Funds directly related to Civil action in the Precinct Justice Courts.
- (5) By and through the County Auditor's office, assistance to be given the Cedar Precinct Justice in establishing a satisfactory accounting system.

PARKING
LOT

: Charlene Greenhalgh, representing Maxwell Gilsonite Products Inc., appeared in an attempt to persuade the Commissioners to permit the said Company to seal coat the parking lot at the Iron County Courthouse, at the cost of some \$2,000.00.

The proposal was discussed briefly, but no action was taken. In the first instance, it was not an agenda item, and in the second, the Commissioners

required time to consider the proposal, and if found acceptable, time to arrange funding.

BUSINESS
LICENSES

: The following applications for Business Licenses were presented for consideration and action taken as to each as indicated:

- (1) Ronald L. Brown and Sheldon M. Lewis:
For purpose of operating Muffler, Brakes,
Alternators, and Starters Service.
Approved.
- (2) Violet S. Carter:
For purpose of operating Catering, Restaurant,
Nursery, Wholesale, and Retail Florist.
Approved.
- (3) Nora L. Whitney:
For purpose of permitting consumption of
liquor on premises.
Class "B" Beer License.
Snack Bar and Second Hand Store.
First two,
Denied.
Snack Bar and Second Hand Store.
Approved.

FIRE

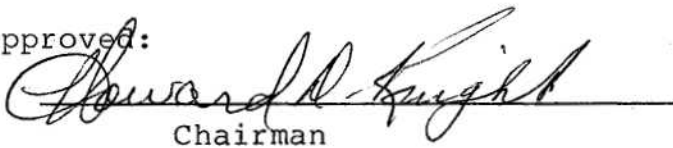
DEPARTMENT

: A bill submitted by Cedar City to Enoch Town in the sum of \$20,697.45, for Fire Suppression Service and in turn transmitted by Enoch Town to Iron County for payment, was called on for consideration. Following a brief review, it was concluded to invite representatives of Cedar City and Enoch Town Official Families, to meet with the Board at its next regular meeting of August 9th, 1982, for a hearing on the matter.

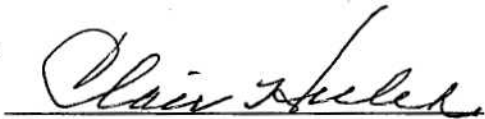
APPLICATION
ABATEMENTS

: Applications by Mildred S. Syrett, and Ingrid C. Heggie for Indigent AbateMENTS for the year of 1982 were considered and both approved. That of Ingrid C. Heggie on basis of being a severe hardship case. After bill against the County had either been approved or rejected, the meeting was adjourned.

Approved:


Chairman

Attest:



Clerk

REGULAR AUGUST 9TH, 1982 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, beginning at the hour of 9:00 a. m.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: Commissioner Dee G. Cowan.

Minutes read and approved.

WEED

PROGRAM : Mr. Jerry Bryant, party with whom the County had contracted to do weed spraying for the calendar year of 1982, met the Commissioners for purpose of making his report, and the submitting of his bill for services. He indicated that the total mileage serviced was some 32 miles short of that contracted for, which it was agreed could be held pending review of the project by the County Road Supervisor and Mr. Bryant.

FIRE

CONTROL : At the invitation of the Board, representatives of Enoch Town, and Cedar City, appeared to consider the subject of Enoch Town's participation and/or non-participation in a cooperative Fire Suppression arrangement. Cedar City having heretofore asserted that they are not obligated to furnish fire protection to Enoch Town, billed them for the sum of Twenty Thousand plus dollars as an equitable charge for services extended to them by the Cedar City Fire Department, and Enoch Town having rejected the Claim on the grounds that if Enoch Town is obligated to pay any amount it becomes Iron County's obligation by virtue of a purported Agreement by and between Iron County and Enoch Town wherein Iron County had agreed to furnish them with fire protection. Spokesman for Cedar City was Mayor Robert Linford, and for Enoch Town, President Worth Grimshaw and Board Member Dennis W. Ayers. The discussion which ensued accomplished very little except to provide an opportunity for those present to express themselves as to the problems existing with respect to Fire Control, possible solutions, and to emphasize the need for further study and discussion. Among the items discussed, in addition was that of establishing a County Fire District, and the establishment of a second Fire Station at the north Cedar City Interchange.

The County agreed to provide the leadership in setting up additional forums for consideration of the subject matter, and to work with Cedar City in resolving the problems of the \$20,000.00 assessment against Enoch Town.

CIVIL

DEFENSE : Mr. Ralph F. Findlay, representing the State Department of Emergency Preparedness, appeared for purpose of making a presentation to the Board on the subject of Nuclear Preparedness. With the assistance of an overhead projector, he made a rather informative presentation related to the potential of a nuclear attack, and of planning that needs to be done in relation to the results of such a possibility. While his presentation at this time was purely informative, he indicated that he would be working with the Commission and Sheriff Ira Schoppmann with respect to their responsibilities in the matter.

SUBDIVISION : Mr. Brent Williams, of Cedar City, appeared for purpose of presenting a plat on the Williams Subdivision, Lot 6, Blk 7, Far West, heretofore approved by the Planning Commission, for Commissioner's approval. Following a brief review, a motion was unanimously passed which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, granting the request, and authorizing Chairman Howard D. Knight, to sign for and on behalf of Iron County.

TAXATION

REPORT : Mr. Steve Grimshaw, County Assessor, presented a number of items for the information of, and where appropriate, action on by the Board.

1. He reported that he had placed the Valley View Medical Center on tax rolls to IHC, and that whether or not such action is legally proper is to be determined by an action pending with the Supreme Court.
2. Requested and received authorization to refund \$45.16 to U & S Motors, due to the item having been twice paid.
3. Gave a brief report on information obtained from a recent meeting which he attended, sponsored by the State Tax Commission on re-development.

PUBLIC

HEALTH : Mrs. Alice Barton, of Parowan, formerly a County Health Nurse, appeared at the invitation of the Board, with the hope that her knowledge and experience in connection with the operation of a County Health program might contribute something in the nature of information which would be of assistance to them in weighing the possibility and/or advisability of Iron County establishing its own Health Department.

The discussion was purely informative, no action was necessary or none taken.

ESCROW

AGREEMENT : Mr. James L. Shumate, County Attorney, requested and received authorization to go ahead with the Escrow Agreement with Florence Behning, designed to provide her with funding to meet subdivision requirements.

SUMMIT

WATER SYSTEM : Frank M. Blackburn, of Summit, by letter and other written documents, presented a protest to action taken or action failed to have been taken by the Summit Town Water Board in relation to serving his residence, which appears to have been omitted from the Service District, with water. The letter and other documentation, was referred to the County Attorney for response.

REGISTRATION

AGENTS : The matter of appointment of Registration Agents for Voting Districts 2, 6, 9, and 10 in Cedar City was brought on for consideration. After consideration, appointment for two was continued and Corrine Williams, Lillian B. Bryant, and Leah Esplin were appointed for 6, 9, and 10 respectfully.

JUDGES OF

ELECTION : The matter appointing Judges for the September 14th, 1982, Primary Election was also considered. However, since the most recent Legislation on the subject set the dates for appointment of Election Judges by the Board of County Commissioners as being between the fifth and twentieth of October, in each year of a General Election to act as Judges of Election in each district at all general and special elections until their successors are appointed, and since following the statute as outlined would not provide Judges in time for the Primary Election, it was the conclusion of the County Attorney that the provision "serve until their successor were appointed" would be applicable, and thus qualify those serving at the last General Election. Accordingly, appointments were confirmed on that basis and were as follows:

LIST OF JUDGES OF ELECTION HELD IN 1982

BRIAN HEAD:

Julie M. Hayes
Shelly Calloway
Donna Schlundt

PARAGONAH:

Delores Robinson
Julie Talbot
Helen Stones

PAROWAN NO. 1:

Zella Ingraham
Lorna B. Mitchell
Della Gurr

PAROWAN NO. 2:

Renee Halterman
Nevada K. Adams
Esther Lord

PAROWAN NO. 3:

Jackie Nelson
Barbara Burt
Dorothy Benson

SUMMIT:

Pauline Hulet
Donna Davenport
Roxanna Johnson

ENOCH CITY:

Beverly Blattner
Lillian Grimshaw
Jackie Webster

MIDVALLEY:

Sally Melling
Viola Fife
Etta Louise Matheson

CEDAR CITY NO. 1:

Irene Goodwin
Jennie Peters
Peggy J. Bulloch

CEDAR CITY NO. 2:

Joyce Watson
Hazel Nelson
Ronald Riddle

CEDAR CITY NO. 3:

Ida Halterman
Lois Jean Murray
Louise Holms

CEDAR CITY NO. 4:

Deanna Norton
Marilyn Burgoyne
Josephine Rowley

CEDAR CITY NO. 5:

Wilma Esplin
Maxine Shirts
Arthur T. Challis

CEDAR CITY NO. 6:

Diane Brown
Nellie Rae Corry
Rhea Carter

CEDAR CITY NO. 7:

Allison Bushnell
LaRue Higbee
Geneal Poulson

CEDAR CITY NO. 8:

Marian Esplin
Bonnie Jones
Vera Bulloch

CEDAR CITY NO. 9:

Bonnie Stapley
Lois Woodbury
Lillian Bryant

CEDAR CITY NO. 10:

Laurel Hulet
Leah C. Esplin
Lewen Gower

CEDAR CITY NO. 11:

Marilyn Bowman
Georgia Knell
Edith Stokes

CEDAR CITY NO. 12:

Aurelia Bauer
Louise Peterson
Barbara Davis

CEDAR CITY NO. 13:

Joy Imlay
Judith Kenney
Addie Hall

CEDAR CITY NO. 14:

Evelyn Heap
Rae Banks
Audrey Terry

CEDAR CITY 15:

Wanda Broadbent
Gladys Isom
Virginia Platt

CEDAR CITY NO. 16:

Dean L. Chamberlain
Jackie Miller
Alice Truman

CEDAR CITY NO. 17:

Rhea Church
Aulene Bradshaw
LaRue Morris

KANARRA TOWN:

Nedra Ence
Donna Munford
Berta Williams

NEW CASTLE:

Carma Beacham
Norma Christensen
Georgia Harrison

BERYL-RICHLAND:

Evaline Bracken
Edith Hunt
Barbara Laub

MODENA:

Shannon Gavard
Laura Bradley
Edna Thorley

RESIDENCE

NUMBERING : The proposed Agreement between Mountain Bell and Iron County for the expansion of the addressing system for Iron County outside the corporate limits of cities and towns, was, after brief consideration referred to Gary Tharpe, by and with the assistance of Ray Anker if advisable, for an overview or analysis of what would be the scope and effort required to meet the objective of the proposed contract, and whether or not there would be any problem correlating it with our existing program.

FRONTAGE

ROAD MATTER : A letter was received from Patrick H. Fenton, Esq, complaining of the condition of the Frontage Road on the East side of I 15 running north from the Paragonah Interchange, as well as to the fact that neither Utah D O T or Iron County were willing to accept responsibility for it. The letter was discussed briefly and referred to the County Attorney for reply.

LEGAL

SERVICES : A bill for Legal Services from the State Association of Counties was presented and approved in the sum of \$1,309.00. After bills against the County had either been approved or rejected, the meeting was adjourned.

APPROVED:



CHAIRMAN

ATTEST:



CLERK

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REGULAR AUGUST 23RD, 1982 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, August 23rd, 1982, beginning at the hour of 9:00 a. m.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Invocation: Howard D. Knight.

Minutes read and approved.

F. A. O. G.

MATTER : Mr. John Williams, Executive Director, five County Association of Governments, met the Commissioners briefly for purpose of attempting to obtain assurance from them that Iron County would appropriate \$10,000.00 toward funding the Association for the year of 1983. The matter having been discussed at some length, the Board agreed to list the request for consideration with the intention of working it into the 1983 budget.

WEED

PROGRAM : Mr. Jerry Bryant, under contract with Iron County to do weed spraying for the year of 1982, appeared for purpose of presenting his written report, and presented his recommendations for improvement of the program for 1983. After review, the report was accepted and ordered filed.

SOLID

WASTE : Mr. James L. Shumate, County Attorney, discussed with the Board a Proposal submitted by the U. S. Forest Service related to the possibility of their being permitted to use the County Sanitary Land Fill for diposition of solid waste. As a result of the discussion which ensued, he was authorized to proceed with the working out of an Agreement which he believed would be satisfactory to both parties.

ADDRESS

NUMBERING : Mr. Gary Tharpe, County Building Inspector, and Raymond E. Anker of Cedar City, appeared at the invitation of the Commissioners for consultation regarding the proposed contract with Mountain Bell for expansion and/or revamping of the County addressing system. After an in depth discussion, it was concluded to hold up on the contract temporarily, to permit further study. James L. Shumate, County Attorney, to advise Mountain Bell.

SECTION

CORNERS : Mr. Ralph B. Platt, Engineering Consultant, appeared for purpose of encouraging the Commissioners to budget funds for funding

further monumentation, more particularly of missing section corners for 1983. The Board assured him the Proposal would be considered in connection with the Budget preparation for next year.

Mr. Platt was also authorized to cross-section the County Land Fill October 15th, 1982, and, if the contract is renewed, to repeat the service at six (6) month intervals, or until further instructed by the Commissioners.

MAINTENANCE

AGREEMENT : Mr. Vern Hackwell, representing Honeywell, appeared for review and clarification of Iron County's Contract with them for service on the heating and air conditioning system at the County Courthouse. At the close of Mr. Hackwell's presentation, the Commissioners agreed to review the contract on a stipulated increase of five (5%) for the current budget period as opposed to the twelve (12%) heretofore announced. Mr. Hackwell also made a proposal for installation of an independent air conditioning unit for the computer room to eliminate the necessity of operating the base unit twenty four hours per day and over the week ends, No firm action was taken on this matter, however. The Commissioners will await further information.

BANK

ACCOUNTS : Mr. LaMar Jensen, County Treasurer, appeared for purpose of advising the Commissioners of the problems being generated for his department by the recent audit recommendation and Commissioner's Mandate with respect to Departmental Bank Accounts, and for the obtaining of council from them as to an acceptable solution. As a result of the discussion, it seemed to be the consensus of opinion that:

1. The problem areas rested with the Precinct Justice's accounts.
2. That basic problems as related to these two accounts could best be resolved by the Justices setting up two accounts. One to handle strictly funds related to Civil matters and subject to the demand of the Justice only. All other funds to be deposited in the second account in the name of the J. P. but subject to withdrawal by the County Treasurer only. Making it possible for all bad checks and exchange fees to continue to be the responsibility of the J. P., and the Treasurer to become responsible for the net collections only.

LEASE

APPLICATION : A special use application to the Division of State Lands to lease from them the area on which the Kanarra Television Translator Equipment is located, namely, a portion of Section 16, Township 38 South, Range 12 West, SLB&M, was presented, and authorization given for execution of the application by Chairman Howard D. Knight. The fee of \$20.00 to accompany the application was also approved.

JUVENILE
DETENTION

: A proposed renewal Agreement by and between the State of Utah and Iron County for the Detention of Juveniles, was also considered, approved, and executed.

BLOCK GRANTS: A proposed Contract Agreement by and between Iron County and the Utah Department Of Community and Economic development, Division of Community Development, as pertaining to a Block Grant in the sum of \$20,000.00 to aid in the construction of housing for County Road and other Equipment stationed in the Escalante Valley area, was presented for consideration and formal action thereon by the Commissioners. After review, a motion was unanimously passed, which was made by Commissioner James L. Clark and seconded by Commissioner Dee G. Cowan, approving the terms and conditions of the agreement, and authorizing Chairman Howard D. Knight to execute the same for and on behalf of Iron County. As a matter of expediency, the Board concluded to at this time review the need or lack of need for an environmental statement. Using the criteria set out in a letter received from the State Of Utah, Community Development Division, dated July 20th, 1982, as basis, it was determined that none was required. The project not to be located on or to have direct implications to any of the acts enumerated in the afore said letter. Further support for their decision was drawn from the fact that the project is located in a sparsely populated area of Iron County, and, by its very nature, bears no elements which would adversely affect the life style of its residents. To the contrary, it comes about as a result of the petition of the area residents.

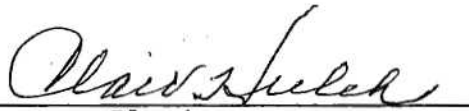
After bills against the County had either been approved or rejected, the meeting was adjourned.

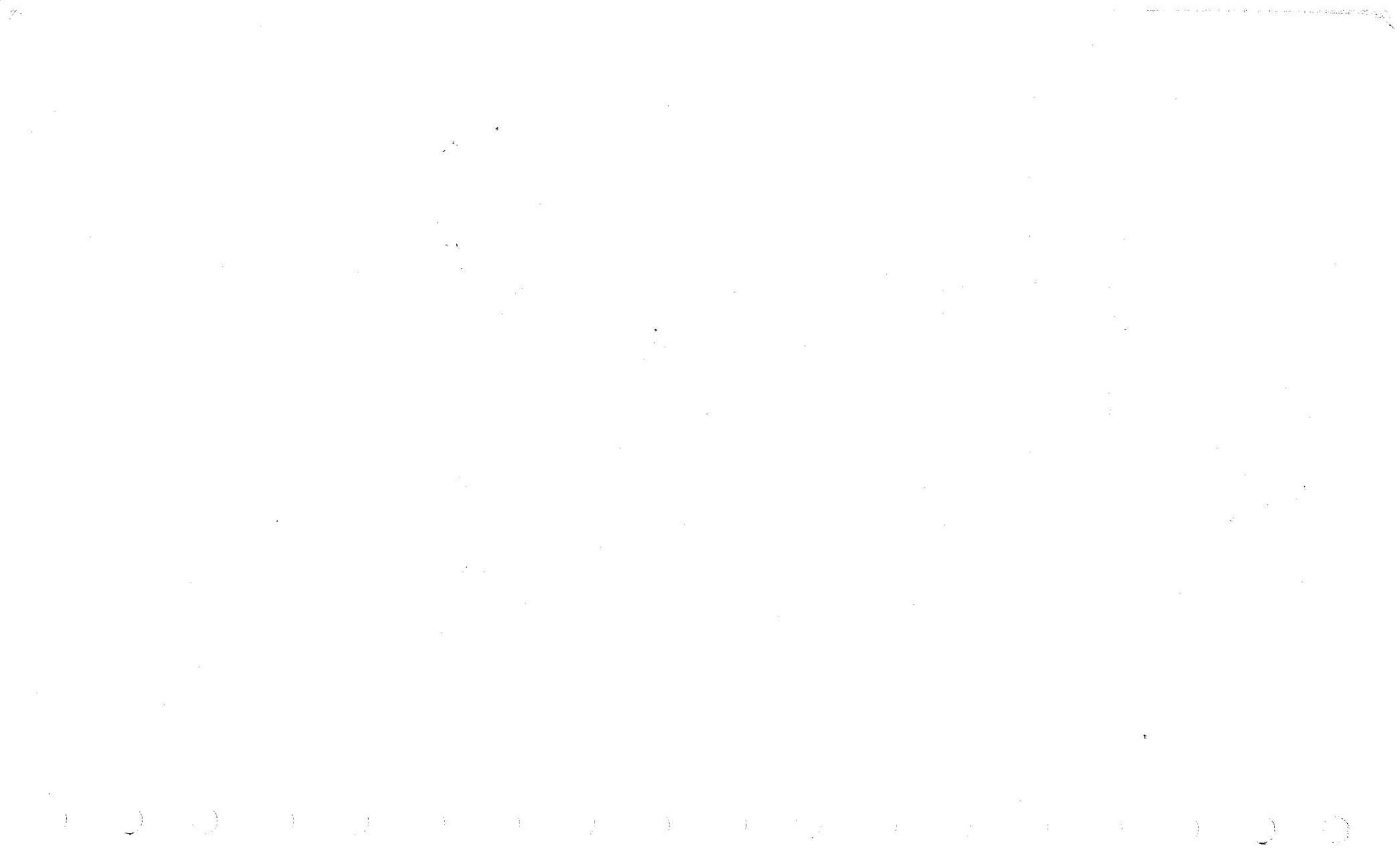
APPROVED:



Chairman

ATTEST:


Clerk



REGULAR SEPTEMBER 13TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, September 13th, 1982, beginning at the hour of 9:00 A. M.

Officers present were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner (Excused)
James L. Shumate, Attorney
Clair Hulet, Clerk

Invocation: Howard D. Knight.

Minutes read and approved.

NURSING
PROGRAM

: A delegation appeared with Jean Hook as spokesman, seeking at least the moral support of the Commissioners, in their efforts to obtain extended opportunity for additional education and specialization in the nursing field. A representative from Intermountain Health Care was also present. Following a general and informational discussion, the following Resolution was offered by Commissioner Dee G. Cowan, who moved for its adoption.

WE, the Board of Iron County Commissioners, in regular session assembled this 13th day of September, 1982, go on record as supporting an extended campus baccalaureate degree program in nursing to provide additional education and specialization for associate degree and diploma nurses in the Southern Utah area.

The motion was duly seconded by Commissioner Howard D. Knight, and the vote was unanimous for adoption. Commissioner James L. Clark, absent and not voting.

COUNTY
JAIL

: Mr. S. Garth Jones, Chairman of the Proposed New County Jail Advisory Committee, met the Commissioners for purpose of presenting a report from the Committee. The report, being in writing, was discussed briefly and Order filed for reference.

PAROWAN MEDICAL
CLINIC

: Mayor John C. Pendleton of Parowan, and D. Watson Adams appeared for purpose of discussing with the Commissioners the possibility of obtaining, on a temporary basis, additional space in the County Courthouse for use by the Parowan Medical Clinic. After a brief discussion, the Board concluded that they were in a position to furnish the additional space desired, if and provided a satisfactory lease agreement could be worked out. The Parowan City and County Attorneys were to be instructed to meet and prepare a recommended Agreement for the Board's approval.

UNUSED

RIGHT-OF-WAY : Again the matter of an existing unused road right-of-way in the Paragonah Fields Farming area, separating property of Earl Thornton in Section 5, Township 34 South, Range 8 West, SLB&M, and running between the property of Dwight Stones and Ralph A. and Donna Lister in the same area, came on for consideration. The Commissioners, after recognizing the fact that the said right-of-way had never been opened up, that it had always been used for farming purposes by the present owners or their predecessors in interest of adjacent property, and there existed no apparent need for it as a right-of-way in the immediate future, passed a motion unanimously, which was made by Commissioner Dee G. Cowan, and seconded by Chairman Howard D. Knight, authorizing the issuance of a Quit Claim Deed to Earl Thornton, covering the portion of the right-of-way splitting his property and one half the right-of-way running between Stone's and Lister's to each.

MINERAL

RIGHTS, ETC. : The appropriateness of the withholding by Iron County, of mineral rights to property heretofore sold to Norman Heaton of Cedar City, at Public Auction, after having been advertised in a newspaper of general circulation in the County, without notice to bidders that the County contemplated withholding the said rights, was discussed at some length. It was concluded, however, to continue the matter for further consideration with a full quorum present.

ZONE CHANGE

HEARING : At 1:00 p. m. as scheduled with due and proper notice thereon given, a hearing was conducted on the Application of Dallen Williams to change the zone on some eleven hundred acres of land located in the vicinity of Desert Mound, from a mining designation to a A 20. Mr. Williams appeared in company with his Counsel, Thomas M. Higbee, Esq.

Mining interest who opposed the change were represented by the following:

Utah International, York Jones
US Steel, Roy Benson
C. F. & F., LaVar Woolsey

In substance, the arguments of the mining interests were to the effect that there is a known body of ore under the property, and if and when, if at all, there comes a time when it is profitable to mine it the cost will be considerably more if homes are located on the property than it remains in sagebrush.

On the other hand Mr. Williams and his Counsel took the position (1) that it is private property and a man should have a right to put his property

to its present highest and best use, and (2) that no one knows when or if it will ever be mined, why then should its present potential for productive use and profit to the owner thereof not be exploited.

Following a brief review, the matter was continued pending the presence of a full quorum.

Mr. Richard Stucki appeared representing himself and Mr. Frank Cooley, for hearing on a final approval of their Petition for a zoning change, covering property owned by them in Section 29, Township 36 South, Range 10 West, SLB&M, from a A 20 to R- $\frac{1}{2}$.

After review the request was unanimously approved.

SALARY MATTER : Sheriff Ira Schoppmann, appeared (1) to request Deputy Norman Lee Hulet, be awarded his step and/or salary grade increase as of the anniversary date, and (2) to request authorization to call for bids on two new cars.

Number (1) was approved. While number (2) was discussed at some length, no formal action was taken.

TELEVISION MATTER : Mr. Ervin Larson, from BLM, met the Board for purpose of advising them that, according to his record, Iron County has no valid permit for the site on which the Escalante Television Translator Equipment is located, and provide them with Forms, etc. on which to make application.

He also advised that in instances when Iron County has a valid Permit for maintaining a Building on BLM property, that before they permit others to use either the site or occupy any portion of the Building, a permit is needed from BLM. In event the County abandons a site on which they have a valid Lease, BLM should be notified.

UNDERGROUND LEASE : Wasatch Mineral Corporation, of Salt Lake City, made formal Application for an Oil and Gas Lease in connection with mineral rights held by Iron County on property described as SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 33, Township 33 South, Range 16 West, SLB&M. After review the Application was approved, and the Lease executed for a consideration of \$120.00.

After bills against the County had either been approved or rejected, the meeting was adjourned.

ATTEST:

Oliver Hulet
Clerk

APPROVED:

Edward D. Fright
Chairman



SPECIAL SEPTEMBER 20TH, 1982, MEETING

Minutes of a meeting of the Iron County Board of Canvassers, held in Commission Chambers, at the Courthouse, Parowan, Utah, September 20th, 1982, beginning at the hour of 12:00 noon.

Officers participating were:

James L. Clark, Commissioner
LaMar G. Jensen, County Treasurer
Dennis Lowder, County Auditor
Clair Hulet, County Clerk

The purpose of the meeting was to canvass the Election Returns of the Primary Election, held September 14th, 1982, as submitted by the Judges of Election of the various Voting Districts of Iron County, plus the counting of any qualified absentee ballots received subsequent to the Election, but prior to the Canvass.

Upon completion of the work of Canvassing, a motion was duly passed, which was made by Commissioner James L. Clark, and seconded by LaMar G. Jensen, providing that results obtained and/or confirmed by virtue of the Canvass be recorded in and made a part of this record, and those local candidates receiving the highest number of votes, as evidenced by the record be declared their party's nominees and eligible for placement on the Official Ballot for the General November 1982, Election. Also that the County Clerk be directed and authorized to file an abstract of the Canvass with the Secretary of State as it pertains to Multi-County Candidates, for their use in making the State Canvass.


The tabulation fo the results follow.

There being no further business to come before the meeting, it was adjourned.

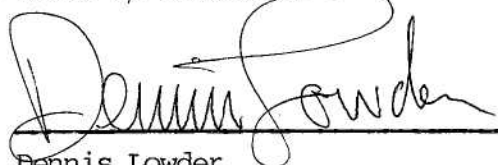
APPROVED:



James L. Clark




LaMar G. Jensen



Dennis Lowder

ATTEST:



Clerk

STATEMENT
RESULTS OF CANVASS BY BOARD OF COUNTY CANVASSERS
OF ELECTION RETURNS OF PRIMARY ELECTION HELD SEPTEMBER 14TH, 1980²

L I N E	VOTING DISTRICT	VOTERS		REPUBLICAN						NON-PARTISAN		
		REGIS- TERED	VOTED	TWO YEAR COMMISSIONER		COUNTY CLERK		COUNTY ATTORNEY		PAROWAN PRECINCT JUSTICE		
				CLAYTON FREHNER	JAMES C. (JIM) ROBINSON	CLAIR HULET	DAVID I. YARDLEY	DALE C. HATCH	SCOTT JAY THORLEY	KENNETH H. ADAMS	GORDON FARNSWORTH	JUDY TURNER
1	Brian Head	38	22	1	16	10	7	7	9	20	0	1
2	Paragonah	220	135	17	109	49	80	30	86	61	31	32
3	Parowan Number 1	475	273	29	236	146	120	81	163	125	66	63
4	Parowan Number 2	348	223	45	171	72	146	73	130	148	47	21
5	Parowan Number 3	294	194	25	161	39	150	58	119	86	76	18
6	Summit	96	64	11	49	29	35	8	51	34	7	14
7	Enoch	496	144	41	98	91	45	43	90			
8	Midvalley	396	99	30	65	50	44	39	53			
9	Cedar City No. 1	432	89	36	46	43	38	15	65			
10	Cedar City No. 2	219	60	24	31	27	30	10	47			
11	Cedar City No. 3	212	39	15	23	15	22	10	28			
12	Cedar City No. 4	694	206	80	115	113	82	54	138			
13	Cedar City No. 5	497	178	86	92	112	65	65	112			
14	Cedar City No. 6	304	77	33	41	41	31	23	52			
15	Cedar City No. 7	250	46	23	20	28	13	13	30			
16	Cedar City No. 8	465	113	59	50	68	40	60	49			
17	Cedar City No. 9	204	58	20	35	27	26	14	40			
18	Cedar City No. 10	217	50	21	27	28	20	13	35			
19	Cedar City No. 11	264	104	51	54	59	42	36	66			
20	Cedar City No. 12	365	60	38	21	36	22	16	43			
21	Cedar City No. 13	382	97	52	42	67	28	33	60			
22	Cedar City No. 14	664	157	51	104	81	69	29	123			
23	Cedar City No. 15	279	125	61	62	74	46	21	100			
24	Cedar City No. 16	575	152	77	73	85	62	39	113			
25	Cedar City No. 17	432	194	156	37	123	66	47	143			
26	Kanarraville	139	42	14	26	26	15	23	17			
27	New Castle	84	47	15	28	37	5	18	24			
28	Beryl-Richland	180	43	16	22	29	9	18	19			
29	Modena	34	16	5	9	8	7	8	7			
30	Dummy (Absentee at Canvas)	5			3	3			3			
TOTALS		9255	3112	1132	1866	1616	1365	904	2015	474	227	149

ELECTION CANVASS RESULTS CONTINUED

LINE	NON-PARTISAN CONTINUED					
	ARTHUR E BROADBENT	NEOLA BROWN	JOHN BAMMES	JACK W. FOWELS	EDWARD A. DALTON	E. J. GRAFF
1	4	5	0	0	5	4
2	11	27	7	2	22	40
3	25	93	2	3	35	63
4	12	61	7	6	43	49
5	13	48	2	2	25	62
6	3	21	4	1	8	19
7	9	68	5	2	14	25
8	4	40	6	4	6	25
9	7	48	8	1	2	12
10	3	29	2	2	1	13
11	4	15	1	0	1	11
12	13	97	7	15	8	30
13	6	95	13	6	5	28
14	5	39	8	6	4	9
15	1	14	16	3	0	7
16	8	56	3	9	8	17
17	3	32	1	3	0	14
18	3	19	4	5	0	12
19	6	54	3	9	6	9
20	4	28	2	1	1	13
21	5	42	3	0	6	18
22	14	88	3	7	9	24
23	1	75	8	3	5	19
24	4	77	9	7	8	19
25	14	105	4	15	5	27
26	1	23	0	1	3	9
27	5	17	3	0	2	15
28	3	25	4	0	0	7
29	1	3	0	1	2	0
30	2	3				
TOTALS . . .	194	1347	135	114	234	600

REGULAR SEPTEMBER 27TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, September 27th, 1982, beginning at the hour of 9:00 a. m.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney
Carma S. Hulet, Deputy Clerk

Invocation: James L. Clark

Minutes read and approved.

BUSINESS

LICENCE : As the first matter of business, the Application of Doris Anzalone of Beryl, for a business license was considered and approved.

RIGHT-OF-WAY

EASEMENT : Through James L. Shumate, County Attorney, a formal Right-Of-Way Grant of Easement and Agreement by and between Iron County and Vernon Singleton, permitting him to install a four inch waterline along a County road right-of-way running from the southwest corner of the Darwin Lamb property and continuing south along the east side of the road east of the traveled surface to the northwest corner of the Vernon Singleton property. Mr. Singleton agreeing to indemnify Iron County for any and all liability which may arise out of the construction, maintenance or use of the said right-of-way. Following due deliberation, the right-of-way request was approved, and Chariman, Howard D. Knight authorized to execute the Right-Of-Way Grant and Easement Agreement for and on behalf of Iron County.

PERMIT

T. V. SITE : The necessity of completing and filing form OMB No. 1004-0060 with the Cedar City Office of the Bureau of Land Management, constituting an application for a Permit to operate a Television Translator Station on B. L. M. property located in Western Iron County, on a portion of Section 3, Township 36 South, Range 17 West, SLB&M, to serve residents of Beryl and vicinity with television service, was again called on for consideration.

After a brief review, a motion was unanimously passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, authorizing preparation and delivery to B L M of the application, and authorizing Chairman Howard D. Knight to execute the same for and on behalf of Iron County.

APPOINTMENT

AND SALARY : Sheriff, Ira Schoppmann and Nancy Iverson, a secretary in his office appeared for the purpose of making application to the Board for confirmation of Sheriff Schoppmann's recommendation that she be made a Sheriffs Deputy, and that her salary be adjusted to compensate for the change in Job Classification.

After review the request was granted, resulting in a change in pay schedule to a Grade 5, Step 2, effective as of November 13th, 1982.

LETTER OF

EXPLANATION : A letter of considerable length was received and considered from Mrs. Kathy Peterson explaining the cause and reason for the position taken by her, relative to her failure to recieve favorable action on her effort to obtain an appointment as Deputy Sheriff with assignment as Security Guard, on a cooperative basis with the County School District. The letter was conciliatory, principally confined to the role of woman in police work, her traning and experience and expression of her desire to work in this field.

The Commisssion authorized the writing of a letter to Mrs. Peterson, thanking her for her communication, and commending her for her effort and continued desire to equip herself for this type of service. Assuring her that any subsequent applications presented by her, through proper channels, would be given fair and equitable consideration. Reminding her, however, that the Commissioners position is one of confirmation or rejection. Not one of making appointments.

NEW JAIL

LOCATION : Mr. Frank Nichols, President of Fiddlers Canyon Development Corporation, and Sheriff Ira Schoppmann, discussed with the Commissioners potential New Jail Site and the possible obtaining of the selected one by other than cash outlay on the part of Iron County. Sites mentioned included, but were not necessarily limited to (1) the 42 acres owned by the County on which the County Road Yard is presently located. (2) North on first east Cedar City, and (3) Fiddlers Canyon. Various preferences were mentioned, such as Cedar City preferring the north first east location, Sheriff Schoppmann's preference, the down town Cedar area, with Frank Nichols claiming to be in a position to arrange a property exchange with Iron County to provide any site selected, if not presently owned by Iron County. There seemed to exist a general feeling that the Re-development and Planning Commission should have opportunity to make a recommendation as to how the site selection might affect, if at all, their overall plan.

Following further general discussion, the matter was continued to October 6th, for additional consideration.

TAX

MATTER : Steve Grimshaw, County Assessor met the Commissioners for purpose of presenting the following recommendations:

- (1) That the Bowling Lanes listed to Robert Lipscomb, under Serial Number B-1316 be reduced in valuation from \$100,970.00 to \$84,571.00 due to their age bracket, being used 1969 equipment.
- (2) That due to extenuating circumstances, the roll back tax levied against Robert Brothers under Serial Number C-135 and C-202, be waived.
- (3) That the roll vack tax levied on property listed under Serial Number D-636-7 for the year of 1977, be waived.
- (4) That the Application for Greenbelt coverage on Garden Valley Ranchos, Unit 2, be denied, and that Jean Allen be encouraged to vacate the Subdivision.

After due consideration, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, approving all items as recommended.

Mr. Grimshaw discussed a number of other items of an informative nature on which no action was necessary or taken at this time. They included, but were not necessarily limited to, such items as IHC's application for a tax exemption status, and his opinion as to the need for a Building Inspector and Zoning Administrator.

AMBULANCE

SERVICE (EMT) : Albert M. Orton, Bob Tuckett, and Richard Grainger appeared for purpose of seeking the cooperation of the County Commissioners in the conducting of an upcoming EMT course. Basically they sought reimbursement of tuition fees for those enrolling in the course, if they continue to work for the Ambulance Service at least 12 hours per week for one year thereafter and meet such other requirements as may be imposed by the Ambulance Committee.

The Commissioners expressed their moral support of the proposal, but delayed formal action on the matter until the results of a subsequent meeting of the Ambulance Board has been obtained. A number of other needs and objectives of the Service were discussed, but were only of an informative nature at this point in time.

BOOK

MOBILE : Paul Stokes and Paul Butters, representing the Utah State Library Board, appeared for purpose of obtaining a commitment from the Commissioners that they would support the Bookmobile Program to the extent of \$11,032.00 for calendar year 1982. The Commissioners agreed, and authorized.

Commissioner Howard D. Knight to execute the letter of intent.

ASSESSMENT

MAATTER : Mr. Sam Gentry and Clark Houston, presented a request for adjustment in assessed valuation for a portion of the subdivision known as Spanish Trials Estates, Unit 2. The proposal being that all lots, with exception of those with improved Road Frontage, be reduced to 25% of existing value, with those with improved road frontage to remain as assessed.

After review, a motion was duly passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, reducing all lots by 50% for the calendar year 1983.

ZONING

CHANGE : Mr. Max Molyneaux, operator of the Lady Bug Nursery, appeared in support of his, and Larry Keith Warby's applications for a zoning change from an A-20 to a C-2 of the property owned by Cedar Livestock Association, and the property of Keith Warby's located in teh N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8, Township 36 South, Range 11 West, SLB&M.

After review, a motion was unanimously passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, confirming the changes as heretofore approved by The County Planning Commission.

HOME

HEALTH : Marie Prince, representing the Home Health Department, appeared for the purpose of reporting to the Commissioners that they had amended the By-Laws to provide for a seven member board with five year terms. Also to report that Cecelia Lambeth had resigned, and Vee Woodard had been appointed as secretary.

SOUTHWEST

LIVESTOCK : The Board Authorized the payment of the sum of \$1,000.00 to the Southwest Livestock Association. Being the sum budgeted to support the Association Show for the year of 1982.

MINERAL

RIGHTS : With full Quorum present, the application of Norman Heaton for restoration of the mineral rights to land which he purchased from Iron County some time ago at Public Auction, and on which Iron County withheld the mineral rights, came on for consideration. Mr. Heaton having on a number of occassions claimed this action by the County to have been inconsistent with the notice calling for bids which makes no mention of the County's intention to take such action.

4

After review of the record as related to the matter, the Commissioners agreed and were therefore persuaded that the County had erred, and accordingly authorized the issuance of a Quit Claim Deed conveying the said rights to the successful bidder, Norman Heaton.

APPOINTMENT: The Commissioners were advised by Bryner Wood, Secretary and Treasurer of the Escalante Valley Housing Authority, that Board Member, A. B. Larson, had resigned and they recommended the appointment of Nyal V. Bosshardt as replacement.

On motion of Commissioner James L. Clark, duly seconded by Commissioner Dee G. Cowan, and with all Commissioners voting in favor thereof, the recommendation was accepted and the appointment of Nyal V. Bosshardt, confirmed.

ORDINANCE AMENDMENT: A proposed Amendment to Ordinance Number 75, titled "Creation of a Reserve Fund for Major Capital Improvements" was presented for review and approval, rejection, and/or Amendment by the Board. Following examination by the Commission and the County Attorney the Ordinances, as written, was approved as to form and content and ordered published. The Amendment alters no provision of the existing Ordinance save the portion thereof dealing with Facility Site location.

REPEATER PERMIT: A request from Robert Holt of Beryl for permission to house a small repeater in the County's T V Translator Building on the site north and west of the Escalante Silver Mines, was called on for consideration. Upon being assured by Mr. Holt that the space required would be negligible, about one square foot, the request was approved.

NOTICE OF CLAIM: Notice of Claim for damages against Valley View Medical Center and Iron County by one, Richard G. Evans, was referred to James L. Shumate, County Attorney, for appropriate action.

MEETING DATE CHANGE: It came to the attention of the Board that their next regular meeting date would fall on a legal holiday. Wherefore, a motion was unanimously passed which was made by Commissioner Dee G. Cowan and seconded by Commissioner James L. Clark, moving the date back to October 6th, 1982. It was also concluded to set the additional hearing on the Dallen Williams Application for a zoning change for 10:00 A. M. on this date.

After bills against the County had either been accepted or rejected,
the meeting was adjourned.

APPROVED:

Reverend A. Knight
Chairman

ATTEST:

Oliver H. Fisher
Clerk

REGULAR OCTOBER 6TH, 1982 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, October 6th, 1982 beginning at the hour of 9:00 A. M.

Officers attending were:

Howard D. Knight, Chairman
James L. Clark, Commissioner
Dee G. Cowan, Commissioner (Excused)
Clair Hulet, Clerk

Invocation: Howard D. Knight.

Minutes: Approved.

RE-ZONING

HEARING : At 10:00 A. M. as scheduled with due and proper notice thereon

given, a hearing was held on the modified application of Dallen R. Williams of Cedar City, for a change in zone from M-3-H to A-20 on 280 acres of land described as the SE $\frac{1}{4}$ -S $\frac{1}{2}$ NE $\frac{1}{4}$ -NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 36 South, Range 13 West, SLB&M. Mr. Williams was present with Counsel, Thomas M. Higbee, Esquire. Mining interest resisting the proposed change were represented by:

Roy Benson, Jr. for U. S. Steel Corporation.

York Jones, for Utah International, Inc.

LaVoy Woolsey, for Colorado Fuel & Iron, Inc.

Upon the matter being opened up for hearing, a rather in depth discussion ensued, with anyone present having a comment to make with respect thereto being given the opportunity to make it.

While many items of concern were expressed by the delegates representing the Mining Interests as to possible undesirable consequence to result from favorable action on the application, they could possibly be summarized to have been substantially as follows:

- (1) Jeopardize their right to the use of a haul road now traversing the property, at the expiration of their present easement.
- (2) The possibility that the chances for the obtaining of a right-of-way for a pipe line across the property, if the need should arise, would be foreclosed.
- (3) The possibility of the Mining Interests being exposed to damage claims from residents of the area for damages to their property and their way of life by virtue of normal mining activities in the vicinity.
- (4) Principally, however, was their concern that if and when they conclude to tap the ore body lying under the Subject land, the cost of purchasing homes and home sites would be much greater than the cost of and removal of sagebrush.

After all had been heard who wished to be heard, a motion was duly passed, which was made by Commissioner James L. Clark, and seconded by Chairman Howard D. Knight, approving the application and authorizing the proposed change from a M-3-H to an A-20 covering the land heretofore described. There being no objection on part of the applicant, the said approval was made subject to the following terms and conditions.

(1) That the applicant land owner agrees to recognize and safeguard the existing interest of the Mining Companies in that certain haul road presently traversing the subject property, and further agrees to an extension of the existing easement covering the right-of-way upon its expiration.

(2) That he agree to provide a right-of-way easement to Utah International for a pipe line across the said land, should the need become necessary.

(3) That a full disclosure be made to each and every purchaser from the applicant of land forming a part of the area re-zoned by this action, of the fact that the said land exists in a mining area and may subsequently, indirectly if not directly, be subject to the climate of mining activities. That such fact or disclosure be appropriately shown on all future instruments of transfer from Dallen Williams and/or his Agents, to purchasers. That those purchasers already in possession of instruments transferring title to them and on which documents the disclosure statement cannot be conveniently affixed, nevertheless receive formal notice of the facts to be shown by the disclosure.

NEW

JAIL _____: Mayor Robert Linford of Cedar City, accompanied by Joe Melling,

Cedar City Manager, appeared for purpose of presenting the views of the City Administration relative to the proposition of site selection for the proposed new County Jail. Mr. Frank Nichols, a Real Estate Broker, and Mr. Robert Greenhalgh, of the Utah Highway Patrol, were also present to participate in the deliberations.

A rather lively discussion ensued with respect to the matter, including but not necessarily limited to, the idea that the project could possibly be correlated with a building project contemplated by the Utah Highway Patrol in vicinity of the North Cedar City Interchange on I-15, the fact that the land area could be obtained without a cash outlay through land exchange if located in the Fiddlers Canyon area through Broker Frank Nichols, as opposed to the site on First East, Cedar City, at a cost of some \$300,000.00. The City Fathers, through their delegates were adamant in their support of the down Town Cedar City area. Nevertheless, after all had been heard who wished to be heard, a motion was unanimously passed, which was made

by Commissioner James L. Clark, and seconded by Chairman Howard D. Knight, selecting the north Cedar City I-15 Interchange subject to its becoming property re-zoned.

Subsequently, however, as the result of a telephone appeal from Cedar City Manager, Joe Melling, the Board agreed to amend its former action and let the citizens of the County decide the issue by placing it on the November 2nd, Election Ballot, as a proposition.

The Commissioners also announced their intention to place another but related proposition on the November Ballot, in an effort to obtain citizens approval for the Commissioners to proceed with the construction and funding of a new County Jail under the most cost effective financing program available, with a debt limitation of \$1,900,000.00.

SUPPORT

BOND ISSUE : At the request of Mayor Linford, a motion was duly passed which was made by Commissioner James L. Clark, and seconded by Chairman Howard D. Knight, expressing the support of the County Commissioners for the 9.8 Million State Bond Issue for funding of State Improvements. Mayor Linford indicating that Cedar City stood to benefit from the issue.

RIGHT-OF-WAY

SCHOOL BUSES : Mr. Bud Chamberlain, of Cedar City appeared relative to problems arising in connection with a school bus turn around on a right-of-way fronting property formerly owned by him in total, but now largely disposed of subject to reservation of adequate right-of-way still titled to him. Explaining that the problem arises as the result of the Utah Department of Transportation having allowed him two permits for access from the state highway to his property. One of which, and the one school bus has been using is directly fronting the residence of one of the purchasers. The owner of the residence has paved the road from the state highway to his property, and he thereupon stopped the school from using the right-of-way on grounds that it would cause his paved drive way to break up. This action inspite of the fact that it is an access from a state highway, crossing a private frontage road belonging to Mr. Chamberlain, who has no objection to school bus use. Following review, it was concluded that Mr. Chamberlain would consult with Robert Hyde, the subject property owner, and see if he can persuade him to withdraw his objection. If not, the County will work with Mr. Chamberlain in providing an additional access for use by the school bus to accomplish a turnabout.

OIL
LEASE

: The Application of Helen Adkins, of Coalville, Utah, for an Oil Lease covering that certain property described as Lot 10, Section 30, Township 35 South, Range 12 West, SLB&M, was considered and approved. Chairman Howard D. Knight, being authorized to execute the Agreement for and on behalf of Iron County.

REQUEST

FOR CONSENT

: A request for consent of the Board of County Commissioners to transfer of the existing Mini Bottle Licence at Milt's Stage Stop Corporation, to Taurus Corporation was considered and denied.

TEMPORARY

APPOINTMENT

: The recommendation of County Attorney, James L. Shumate, that Robert L. Gardner, Assistant Utah Attorney General, be appointed to fill in for him while he is on vacation, was approved.

GOVERNMENTAL

VISIT

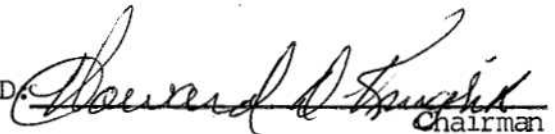
: The Commissioners had heretofore called for a meeting with representatives of the various Incorporated Units of Governments, October 25th, 1982, to discuss mutual problems. However, since Cedar City had reported that they would be unable to meet that date, the meeting was continued to the November 8th, meeting date.

APPOINTMENT

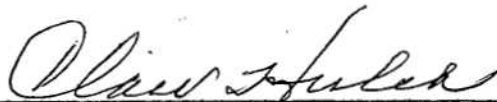
: Based upon a notice from the Secretary Treasurer of the Summit Special Service District Control Board, Mr. Lyle Farrow of Summit was duly appointed to complete the term on the said Board of David Dalley who had moved from the District.

After bills against the County had either been approved or rejected, the meeting was adjourned.

APPROVED


Chairman

ATTEST:



Clerk

REGULAR OCTOBER 25TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, October 25th, 1982, beginning at the hour of 9:00 A. M.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney

Minutes approved as read.

MINI BOTTLES
LICENSES

: As the first matter of business, the Commissioners again gave consideration to the request of Taurus Corporation, Lessee, that they the commissioners execute an amended Statement of Consent for the transfer of an existing mini-bottle liquor permit from Milt's Stage Stop Corporation, Lessor, to the said Taurus Corporation. A like request, but titled as a State Liquor store license, having been heretofore denied. Mr. Rex Emenegger, representing the Lessees, Taurus Corporation, being present in person to support their position.

He explained that the consent of the Commissioners was necessary before the State Liquor Commission would authorize the transfer.

After a rather in depth discussion, the Board took the necessary action to authorize Chairman Howard D. Knight to execute the consent, as amended, for and on behalf of Iron County. The same to be forwarded to the Utah Liquor Control Commission.

TELEVISION
AT BRIANHEAD

: Also discussed with Mr. Emenegger, was the status of the County Television service at Brianhead. The Commissioners were advised that the system was inadequate to serve much of the total area and had therefore been turned off. Carlyle Johnson, serviceman for the area, was to be advised that further service for the equipment is now unnecessary, but to leave it there.

STATE
LANDS

: Mr. Kevin Carter, representing the Utah State Land Board appeared for purpose of discussing with the Commissioners the current policies of the State land Board with respect to residential and Commercial land development. Among others, he explained that under present policy the State Land Board will refuse to consider an Application; for leases, purchases, or development, without the council of the Commissioners first having been obtained.

Also, discussed briefly was the possibility of obtaining the Kanarra-New Harmony T. V. Translator site through land exchange. No formal action was

necessary at this time on the part of the Board, however, and none was taken.

UTAH
D O T

: District Engineer, Gene Sturzenegger, met the Board for purpose of discussing a number of mutual problems, including, but not necessarily limited to, keeping the road open during the winter months from Brianhead to Panguitch via the Cedar Breaks Panguitch Lake route, and the Buckhorn frontage road problem.

While an exchange of information was valuable to both parties, no formal action was taken at this time. It was agreed, however, that a more specific agreement should be prepared and executed with respect to the Panguitch-Cedar Breaks road matter. A suggested agreement submitted by James L. Shumate, County Attorney, seemed to be considered adequate. The matter was tabled for further study.

Nothing was accomplished with respect to the Buckhorn frontage road dilemma, except to emphasize the problems existing with respect thereto.

T V SITE &

ROAD EASEMENT : Mr. Ervin Larson, representing the Bureau of Land Management, appeared relative to a Permit covering the Escalante Television Translator site located in the area of the Escalante Silver Mines, and the County's Application for a road right-of-way across B L M property some what north and west of Modena.

After review, additional Documents were executed by Chairman Knight relative to firming up the lease for the T. V. sight, and Mr. Larson was advised to keep the Application on file for the road right-of-way. The road block to the County's obtaining the subject road right-of-way, was again explained as the requirement that the artifacts be removed before approval will be granted. Since this is expected to be costly, the County wished more time to explore the possibility of getting the work accomplished by some of the State's Universities.

Mr. Larson also explained that road right-of-way is lacking over B L M property as access to the Red Canyon Subdivision. Indicating that a fee from the subdivider in the sum of \$45.00 would complete the transaction. County Attorney, James L. Shumate, was of the opinion that he could forthwith produce the fee from the appropriate party.

COMPUTER
SERVICE

: A delegation of County Department Head, comprised of Steven Grimshaw, County Assessor; Dennis A. Lowder, County Auditor; Cora J. Hulet, County Recorder; and Geraldine Matheson, Computer Program Supervisor, appeared for the purpose of advising the Commissioners that the Computer system had almost reached its capacity, and that additional storage

capacity was necessary. This is to increase the monthly payment by some \$700.00. Also the need for additional printers at a cost of \$537.00 per month, was advanced.

There seemed to be a willingness on the part of the Commissioners to support the request, yet the group was instructed to explore the possibility and/or adviseability of purchasing printers as opposed to leasing. This they agreed to do. The matter to be finalized at the budget preparation meeting.

LICENSE

APPLICATION : Several Applications for business licenses were considered and action taken as follows:

1. Nora Whitney of Modena, for a Beer License, denied.
2. Margaret Elizabeth Hager, of Hurricane, for Beer License at Modena, denied.
3. Stanley A. Szczesny, of Cedar City for a Auto and Light Truck repair, approved, subject to proper zoning.

RESOLUTION : At the request of Dallin Gardner, of Cedar City, the Commissioners agreed to use their good office in the interest of certain Livestock Producers of the County. Accordingly, a motion was unanimously passed which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, authorizing the issuance of a request to Senator Jake Garn, that he intervene on behalf of Dallin Gardner and Associates in an effort to obtain a delay in P C A's action to foreclose and sell all Livestock of the parties, to permit time for sale of revenue bonds sponsored by the said Livestock interests to obtain funds to meet their obligations.

SPECIAL

USE PERMIT : An Amendment to the County's Special Use Permit at the Wood's Ranch Recreation Park, was reviewed from U. S. Forest Service, examined, approved, and under due authorization, executed by Chairman Howard D. Knight. The Amendment raised the permit fee to \$25.00, which was approved for payment.

APPROPRIATION : A request and/or application by the Southern Utah Chorale Society for a cash appropriation from Iron County to support their program, was looked upon with favor by the Commissioners and an appropriation of \$400.00 approved.

ELECTION

JUDGES : The matter of appointment of Election Judges for the upcoming November 2nd, 1982, General Election, come on for consideration. After review of recommendations submitted, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark,

appointing the following qualified Electors to serve in said capacity for their respective Voting Districts:

BRIAN HEAD:

Julie Hayes
Christina Leslie
Dan Rohde

PARAGONAH DISTRICT:

RECEIVING:
Lola Robb
Helen Stones
Delores Robinson

COUNTING:

Ruth Boardman
Vivian Robb
Mary Abbott

PAROWAN NO. 1:

RECEIVING:
Zella Ingraham
Della Gurr
Florence S. Mitchell

COUNTING:

Lorna B. Mitchell
Connie Halterman
Brenda C. Adams

PAROWAN NO. 2:

RECEIVING:
Elaine Adams
Nevada K. Adams
Dawn Hanks

COUNTING:

Renee Halterman
Esther Lord
Adelle Matheson

PAROWAN NO. 3:

RECEIVING:
Barbara Burt
Orlene Pickett
Georgia Holyoak

COUNTING:

Jackie Nelson
Dorothy Benson
Wanda Benson

SUMMIT DISTRICT:

Marjorie Evans
Donna Davenport
Roxanna Johnson

ENOCH DISTRICT:

RECEIVING:
Beverly Blattner
Lillian Grimshaw
Jackie Webster

COUNTING:

Lois Bulloch
Marilyn Jones
Barbara Wright

MIDVALLEY DISTRICT:

RECEIVING:
Sally Melling
Viola Fife
Etta Louise Matheson

COUNTING:

Helen Pace
Lynn Clark
Colleen Knight

CEDAR CITY NO. 1:

RECEIVING:
Jean Bulloch
Ruthmary Coles
Janet Leigh

COUNTING:

Irene Goodwin
Jennie Peters
Yvonne McDonough

CEDAR CITY NO. 2:

RECEIVING:
Hazel Nelson
Agnes Arns
Ramola B. Fretwell

COUNTING:

Joyce Watson
LaVern McDaniels
Norma McFarlane

CEDAR CITY NO. 3:

RECEIVING:
Ruby Bauer
Patricia H. Clark
Afton Stapley

COUNTING:

Louise Holmes
Jane Imlay
Ida Halterman

CEDAR CITY NO. 4:

RECEIVING:
Dorothy Bennee
Helen Crawford
Dorothy Bulloch

COUNTING:

Deanna Norton
Marilyn Burgoyne
Josephine Rowley

CEDAR CITY NO. 5:

RECEIVING:
Maxine Shirts
Sidney Hahne
Valeda S. Hilton

COUNTING:

Arthur T. Challis
Ethel Slack
Wilma Esplin

CEDAR CITY NO. 6:

RECEIVING:
Corrine Williams
Idona Smith
Edna Sargent

COUNTING:

Diane Brown
Nellie Rae Corry
Rhea Carter

CEDAR CITY NO. 7:

RECEIVING:
Carol Ann Jones
Josephine Jones
Vivian Palmer

COUNTING:

Allison Bushnell
LaRue Higbee
Geneal Poulson

CEDAR CITY NO. 8:

RECEIVING:
Marian Esplin
Bonnie Jones
Vera Bulloch

COUNTING:

Ann Judd
Gwen Stucki
Marius Cloward

CEDAR CITY NO. 9:

RECEIVING:
Lillian Bryant
Lola Smith
Phyllis Wood

COUNTING:

Bonnie Stapley
Lois Woodbury
Marketta Ashdown

CEDAR CITY NO. 10:

RECEIVING:
Dorothy Stucki
Madge Green
Marian Woolsey

COUNTING:

Laurel Hulet
Leah C. Esplin
Lewen Gower

CEDAR CITY NO. 11:

RECEIVING:
Marilyn Bowman
Georgia Knell
Edith Stokes

COUNTING:
Berniece McArthur
Cherie Myers
Anna Gower

CEDAR CITY NO. 12:

RECEIVING:
Ida Hallman
Donna Jean Clark
Alice Batt

COUNTING:
Aurelia Bauer
Louise Peterson
Barbara Davis

CEDAR CITY NO. 13:

RECEIVING:
Marjorie Blackburn
Claudia Forsyth
Kathleen Felstead

COUNTING:
Joy Imlay
Judith Kenney
Addie Hall

CEDAR CITY NO. 14:

RECEIVING:
Cleola H. Torgensen
Nelda Goodman
Vickie J. Challis

COUNTING:
Evelyn Heap
Rae Banks
Audrey Terry

CEDAR CITY NO. 15:

RECEIVING:
Ludene Bickmore
Gladys Dsom
Wanda Cox

COUNTING:
Elaine Averett
Ruth Betensen
Bonita Cripps

CEDAR CITY NO. 16:

RECEIVING:
Alice Truman
Colleen S. Fife
Alice Thompson

COUNTING:
Dean L. Chamberlain
Jackie Miller
Virginia Anderson

CEDAR CITY NO. 17:

RECEIVING:
Rhea Church
LaRue Morris
Donald W. Carroll

COUNTING:
Aulene Bradshaw
Sylvia Bulloch
LaRue Gardner

KANARRAVILLE DISTRICT:

RECEIVING:
Nedra Ence
Donna Munford
Berta Williams

COUNTING:
Carma Williams
Maida Christensen
Angela Williams

NEW CASTLE DISTRICT:

Carma Beacham
Georgia Harrison
Norma Christensen

BERYL-RICHLAND DISTRICT:

RECEIVING:
Evaline Bracken
Edith Hunt
Barbara Laub

COUNTING:
Phyllis Wood
Larena Messerly
Barbara Gardner

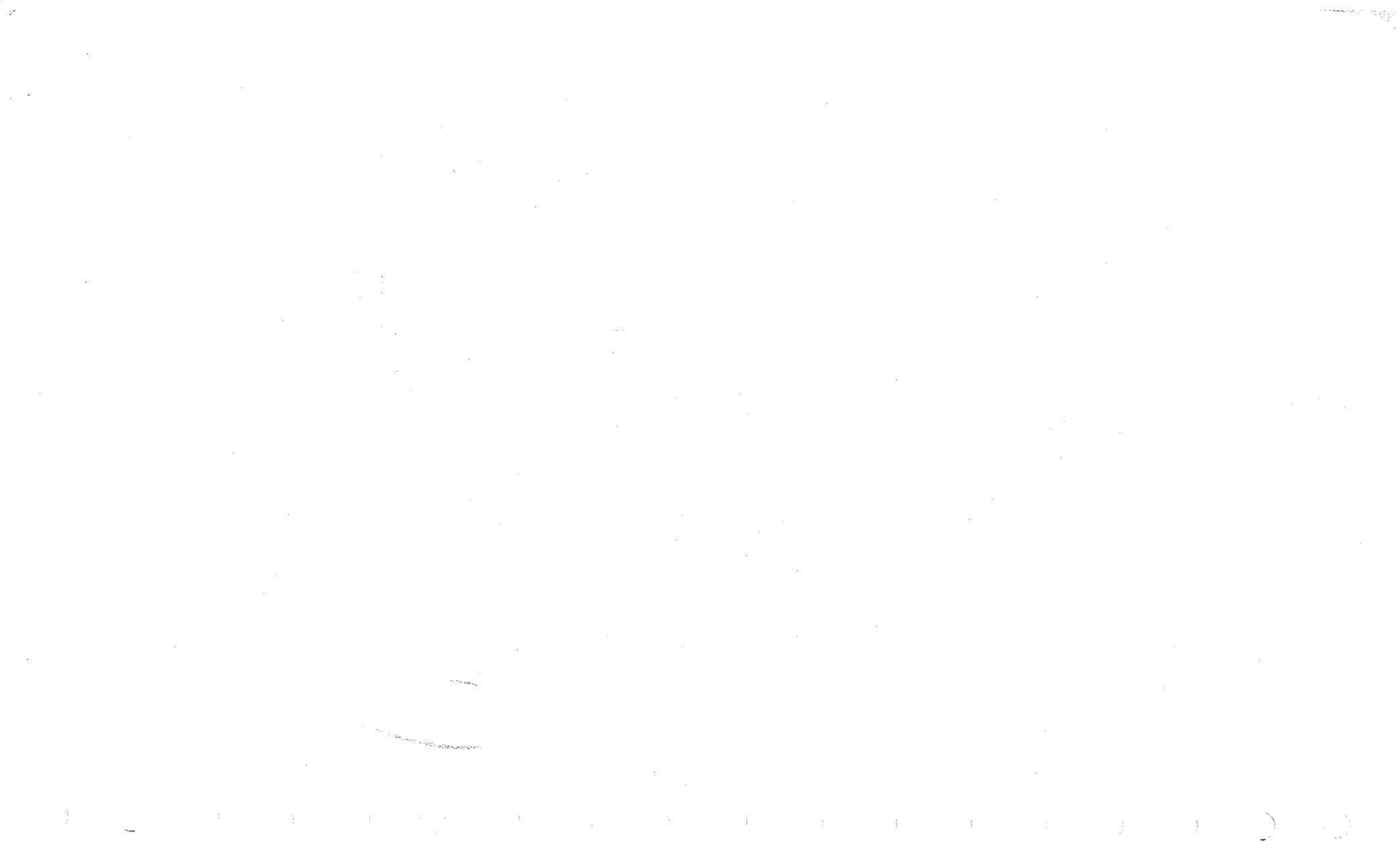
MODENA DISTRICT:

Howard Force
Laura Bradley
Edna Thorley

After bills against the County had been accepted or rejected, the meeting was adjourned.

APPROVED: Howard D. Knight
Chairman

ATTEST: Clair Hulek
Clerk



MEETING OF BOARD OF COUNTY CANVASSERS

Minutes of a meeting of the Board of County Canvassers lawfully convened, Monday November 8th, 1982, at the County Courthouse, Parowan, Utah, at the hour of 12:00 Noon.

Present and officiating were:

Merna Mitchell, Chief Deputy County Treasurer
G. Steven Grimshaw, County Assessor
Ira Schoppmann, Sheriff
Clair Hulet, Clerk

The purpose of the meeting was to canvass the election returns of the General Election held November 2nd, 1982, as submitted by the Judges of the various Voting Districts, and to count any qualified absentee ballots received subsequent to to the Election and prior to the canvass.


Upon completion of the work of canvassing, conducted in accordance with standard procedure and in compliance with law, a motion was unanimously passed, which was made by G. Steven Grimshaw, and seconded by Merna Mitchell, providing that the results of the canvass as compiled by them and recorded on the following schedules, be made a part of this record, and declared as the Official results of the Election, and that the local candidates receiving the highest number of votes as evidenced by the record, be declared elected, and that the Clerk be instructed to file an abstract of the vote canvass as related to candidates of greater than local concern with the Secretary Of State for consideration in connection with the State Canvass.

The Officers conducting the canvass being first qualified by law to act in this capacity, were also duly commissioned and supervised by the Board Of County Commissioners in making the canvass as evidenced by the minutes of the Board of even date.

The purpose of the meeting having been accomplished, the meeting was adjourned.

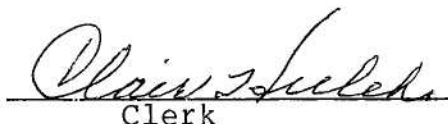
APPROVED:


Merna Mitchell


G. Steven Grimshaw


Ira Schoppmann

ATTEST:


Clair Hulet
Clerk

STATEMENT
RESULTS OF CANVASS BY BOARD OF IRON COUNTY CANVASSERS
OF ELECTION RETURNS OF GENERAL ELECTION HELD NOVEMBER 2ND. 1982

L I N E	VOTING DISTRICT	VOTERS		U. S. SENATOR				US REPRESENTATIVE		STATE REPRESENTATIVE	
		REGIS- TERED	VOTED	REPUBLICAN ORIN G. HATCH	DEMOCRAT TED WILSON	AMERICAN LAWRENCE R. KAUFFMAN	LIBERTARIAN GEORGE MERCIER	REPUBLICAN JAMES V. HANSEN	DEMOCRAT A. STEPHEN DIRKS	REPUBLICAN R. HAZE HUNTER	UN- OPPOSED
		1.	Brian Head Town	45	30	15	15	0	0	19	6
2.	Paragonah Town	203	183	108	74	1	1	108	68	131	0
3.	Parowan Number 1	444	353	216	129	2	2	225	108	242	0
4.	Parowan Number 2	347	277	182	91	2	0	169	85	190	0
5.	Parowan Number 3	292	233	161	66	1	0	152	69	169	0
6.	Summit Town	99	84	53	31	0	0	49	33	55	0
7.	Enoch City	470	352	272	76	0	0	285	61	291	0
8.	Midvalley	402	292	216	71	0	0	218	63	238	0
9.	Cedar City 1	400	288	178	105	0	0	174	109	203	0
10.	Cedar City 2	170	129	90	36	0	0	87	34	105	0
11.	Cedar City 3	192	143	96	44	1	0	98	42	103	0
12.	Cedar City 4	752	570	368	198	1	1	384	171	434	0
13.	Cedar City 5	527	384	287	99	0	0	304	77	327	0
14.	Cedar City 6	211	138	87	50	0	0	90	44	114	0
15.	Cedar City 7	157	110	73	35	0	0	73	30	80	0
16.	Cedar City 8	296	244	181	59	0	0	178	57	196	0
17.	Cedar City 9	181	121	87	31	0	0	87	30	95	0
18.	Cedar City 10	173	132	96	35	0	0	95	34	112	0
19.	Cedar City 11	286	233	151	80	1	0	150	76	170	0
20.	Cedar City 12	278	196	114	76	3	1	115	73	138	0
21.	Cedar City 13	340	246	166	77	1	0	165	71	189	0
22.	Cedar City 14	641	421	273	149	0	0	274	140	321	0
23.	Cedar City 15	300	224	157	68	0	0	154	71	186	0
24.	Cedar City 16	565	371	258	112	0	0	270	91	291	0
25.	Cedar City 17	444	377	263	110	1	1	269	93	302	0
26.	Kanarraville	130	109	74	33	0	0	75	27	83	0
27.	New Castle	88	78	66	12	0	0	65	12	64	0
28.	Beryl-Richland	199	143	93	46	0	2	106	31	104	0
29.	Modena	38	36	14	21	1	0	13	20	15	0
30.	Dummy	10	10	4	6	0	0	5	5	8	0
TOTALS		8680	6507	4399	2035	15	8	4456	1831	4973	0

NOVEMBER 2ND, 1982 ELECTION CANVASS RESULTS CONTINUED

L I N E	4 YR. COMMISSIONER		2 YR. COMMISSIONER		SHERIFF		COUNTY CLERK		COUNTY AUDITOR	
	REPUBLICAN LOUIE P. TONG	DEMOCRAT RODNEY D. DECKER	REPUBLICAN JAMES C. ROBINSON	LIBERTARIAN STEVE ROBINSON	REPUBLICAN IRA SCHOPPMANN	WRITE-IN KATHY PETERSEN	REPUBLICAN CLAIR HULET	DEMOCRAT NONE	REPUBLICAN DENNIS A. LOWDER	DEMOCRAT NONE
1.	13	11	20	1	21	0	21	0	19	0
2.	75	95	143	5	147	0	143	0	147	0
3.	149	184	301	7	277	0	280	0	292	0
4.	107	161	215	8	211	1	217	0	225	0
5.	101	124	180	12	180	0	154	0	185	0
6.	35	46	59	4	70	0	66	0	63	0
7.	234	102	303	9	318	0	300	0	306	0
8.	194	84	234	8	262	0	244	0	241	0
9.	163	112	206	18	211	4	220	0	210	0
10.	86	39	105	0	111	1	109	0	103	0
11.	95	45	112	2	117	0	114	0	116	0
12.	352	202	445	17	482	6	464	0	465	0
13.	258	127	337	4	354	2	343	0	344	0
14.	88	47	123	2	128	1	121	0	119	0
15.	60	41	78	4	86	0	80	0	80	0
16.	163	66	192	11	203	1	195	0	192	0
17.	74	42	98	0	103	0	100	0	100	0
18.	79	49	112	3	118	1	116	0	115	0
19.	140	84	177	3	190	3	182	0	178	0
20.	121	69	140	5	157	5	152	0	151	0
21.	164	77	193	2	207	4	200	0	198	0
22.	255	157	334	8	354	0	354	0	353	0
23.	145	78	182	5	191	0	182	0	182	0
24.	249	113	304	1	321	3	306	0	304	0
25.	246	121	285	18	313	2	299	0	295	0
26.	83	20	80	2	91	0	87	0	86	0
27.	64	9	61	8	75	0	71	0	65	0
28.	91	43	101	14	116	0	113	0	108	0
29.	11	20	14	3	19	0	18	0	16	0
30.	2	7	6	1	8	0	9	0	7	0
	<u>3897</u>	<u>2375</u>	<u>5140</u>	<u>185</u>	<u>5441</u>	<u>34</u>	<u>5260</u>	<u>0</u>	<u>5265</u>	<u>0</u>

NOVEMBER 2ND, 1982, ELECTION CANVASS RESULTS CONTINUED

L I N E	COUNTY ASSESSOR		COUNTY RECORDER		COUNTY TREASURER		COUNTY ATTORNEY		CIRCUIT COURT JUDGE	
	REPUBLICAN G. STEVE GRIMSHAW	DEMOCRAT NONE	REPUBLICAN CORA J. HULET	DEMOCRAT NONE	REPUBLICAN LAMAR G. JENSEN	DEMOCRAT NONE	REPUBLICAN SCOTT JAY THORLEY	DEMOCRAT None	NON-PARTISAN D. CHRISTIAN RONNOW	J. PHILLIP EVES
1	20	0	19	0	20	0	21	0	16	9
2	145	0	146	0	148	0	148	0	82	52
3	268	0	286	0	285	0	278	0	90	213
4	211	0	223	0	221	0	217	0	85	144
5	179	0	187	0	188	0	181	0	76	119
6	62	0	68	0	69	0	70	0	29	38
7	302	0	302	0	303	0	310	0	139	164
8	247	0	241	0	241	0	252	0	138	99
9	207	0	213	0	214	0	214	0	179	51
10	106	0	103	0	104	0	108	0	79	24
11	114	0	114	0	113	0	117	0	86	22
12	458	0	462	0	463	0	472	0	318	154
13	345	0	345	0	345	0	350	0	215	84
14	117	0	119	0	118	0	127	0	91	25
15	79	0	81	0	82	0	82	0	66	17
16	192	0	195	0	193	0	194	0	146	52
17	102	0	101	0	101	0	101	0	67	37
18	116	0	117	0	115	0	120	0	76	23
19	176	0	179	0	180	0	183	0	140	38
20	150	0	152	0	154	0	156	0	99	49
21	197	0	200	0	197	0	203	0	160	45
22	345	0	346	0	346	0	362	0	277	76
23	184	0	182	0	186	0	191	0	153	38
24	301	0	304	0	302	0	310	0	227	86
25	296	0	292	0	294	0	308	0	290	46
26	87	0	86	0	87	0	87	0	56	22
27	66	0	66	0	66	0	66	0	52	11
28	108	0	110	0	108	0	110	0	71	26
29	17	0	18	0	17	0	19	0	12	11
30	6	0	6	0	6	0	6	0	4	3
	<u>5203</u>	<u>0</u>	<u>5263</u>	<u>0</u>	<u>5266</u>	<u>0</u>	<u>5363</u>	<u>0</u>	<u>3519</u>	<u>1778</u>

NOVEMBER 2ND, 1982, ELECTION CANVASS RESULTS CONTINUED

L I N E	CIRCUIT COURT JUDGE		CEDAR PRECINCT JUSTICE			PAROWAN PRECINCT JUSTICE		STATE BOARD OF EDUCATION	
	NON-PARTISAN	NON-PARTISAN	NON-PARTISAN	NON-PARTISAN	NON-PARTISAN	NON-PARTISAN	NON-PARTISAN	NON-PARTISAN	NON-PARTISAN
	ROBERT F. OWENA	GARY W. PENDLETON	MARGARET MILLER	WENDALL J. DOWNWARD	WRITE-IN DENNIS NEWCOMB	KENNETH H. ADAMS	GORDON G. FARNSWORTH	NEOLA BROWN	E. J. GRAFF
1.	16	8				26	0	12	10
2.	80	35				94	48	63	63
3.	139	115				210	103	157	114
4.	110	76				175	74	125	79
5.	118	49				114	96	82	97
6.	39	20				55	16	32	31
7.	138	131	166	125	10			193	96
8.	130	66	154	65	20			143	81
9.	139	62	186	37	8			173	52
10.	63	24	83	15	2			76	24
11.	65	23	69	35	2			81	29
12.	287	138	347	87	30			315	137
13.	165	84	219	54	13			223	75
14.	59	34	78	25	5			74	39
15.	38	26	54	22	4			40	38
16.	115	50	128	46	20			134	56
17.	53	31	81	19	1			68	33
18.	60	20	63	24	3			65	34
19.	84	62	134	32	6			121	54
20.	81	42	105	29	7			98	43
21.	123	54	179	28	6			136	68
22.	209	106	274	57	33			257	95
23.	127	39	131	36	14			124	61
24.	186	79	223	63	28			235	74
25.	205	75	247	68	11			206	105
26.	42	24	48	21	0			50	31
27.	40	15	42	19	0			37	25
28.	56	32	71	26	0			70	32
29.	12	9	16	5	0			12	11
30.	2	3	3	2	0	3		4	4
	<u>2981</u>	<u>1532</u>	<u>3101</u>	<u>940</u>	<u>223</u>	<u>677</u>	<u>337</u>	<u>3406</u>	<u>1691</u>

NOVEMBER 2ND, 1982, ELECTION CANVASS RESULTS CONTINUED

L I N E	JUSTICES OF THE SUPREME COURT OF UTAH						COUNTY SCHOOL BOARD PRECINCT 4	
	<u>NON-PARTISAN CHRISTINE M. DURHAM (YES)</u>	<u>NON-PARTISAN CHRISTINE M. DURHAM (NO)</u>	<u>NON-PARTISAN RICHARD C. HOWE (YES)</u>	<u>NON-PARTISAN RICHARD C. HOWE (NO)</u>	<u>NON-PARTISAN DALLIN H. OAKS (YES)</u>	<u>NON-PARTISAN DALLIN H. OAKS (NO.)</u>	<u>NON-PARTISAN GWYN CLARK</u>	<u>NON-PARTISAN UN-OPPOSED</u>
1	17	3	16	3	17	1		
2	93	10	95	13	99	10		
3	212	18	205	18	222	18		
4	155	22	146	21	164	17		
5	134	19	115	20	135	14		
6	48	5	46	4	57	5		
7	237	32	233	26	261	15		
8	185	20	174	22	189	15		
9	185	16	172	21	184	20		
10	75	11	74	8	78	7		
11	85	2	79	5	86	4		
12	360	35	344	40	393	33		
13	236	21	223	28	259	15	247	0
14	87	13	84	11	94	7	85	0
15	57	10	56	6	68	4	64	0
16	172	7	162	12	174	8	160	0
17	72	9	70	8	78	7		
18	75	5	70	7	84	4		
19	134	13	130	12	144	11		
20	99	18	98	16	104	15		
21	171	11	162	13	174	11		
22	274	32	288	23	307	14		
23	148	11	146	11	160	6	169	0
24	243	27	240	21	256	19	244	0
25	252	32	238	36	262	30		
26	51	7	49	7	56	5		
27	37	14	41	10	52	6		
28	65	23	61	23	66	21		
29	20	2	18	3	17	5		
30	7	1	7	1	8	1	2	0
	<u>3986</u>	<u>449</u>	<u>3842</u>	<u>449</u>	<u>4248</u>	<u>348</u>	<u>971</u>	<u>0</u>

NOVEMBER 2ND, 1982, ELECTION CANVASS RESULTS CONTINUED

L I N E	COUNTY SCHOOL BOARD PREC. 5	REV. & TAXATION	COMP. LEGISLATOR		LEGISL. RESID'Y		CORPORATE OFFICER		OPINION POLL			
	NON-PARTISAN KENNETH E. SHAKESPEAR	NON-PARTISAN UN-OPOSED	PROPOSITION 1		PROPOSITION 2		PROPOSITION 3		PROPOSITION 4		OPINIO NO. 1	
			FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	FOR	AGAINST	YES	NO
1			12	16	20	7	22	5	18	9	21	6
2			92	71	71	82	124	32	78	71	77	73
3			158	149	153	135	235	71	160	118	158	149
4			147	104	114	126	186	61	126	100	133	113
5			100	120	109	94	152	54	105	89	93	112
6			48	31	36	39	61	15	33	38	37	36
7			197	144	219	112	301	37	222	99	273	66
8			129	148	177	91	235	35	174	86	203	63
9			139	126	143	115	203	54	144	107	196	64
10			69	51	63	44	94	20	70	37	91	27
11			68	63	78	53	101	26	75	46	98	28
12			307	240	319	219	448	94	340	185	396	126
13			215	162	232	131	294	74	249	106	276	77
14			70	56	77	49	114	16	82	39	105	22
15			59	46	55	45	91	9	54	41	80	18
16			141	93	161	68	204	26	149	72	198	30
17	74	0	64	39	58	41	79	22	57	41	82	18
18	71	0	66	56	72	44	96	19	63	45	79	36
19	163	0	124	84	106	92	158	43	140	53	148	54
20	101	0	95	84	102	71	137	33	92	70	115	54
21	164	0	135	96	145	83	194	34	147	73	190	33
22			219	187	229	164	321	76	236	149	324	72
23			128	82	145	60	185	23	157	49	170	29
24			193	168	223	135	304	51	234	114	281	61
25			217	146	218	137	309	50	233	111	292	59
26			60	30	48	39	69	21	38	46	59	30
27			47	25	48	22	56	15	34	33	42	29
28			61	70	62	64	109	21	70	51	78	44
29			17	16	16	14	21	9	15	12	17	10
30			4	4	3	5	8	0	2	5	7	1
	<u>573</u>	<u>0</u>	<u>3381</u>	<u>2707</u>	<u>3502</u>	<u>2381</u>	<u>4911</u>	<u>1046</u>	<u>3597</u>	<u>2095</u>	<u>4319</u>	<u>1540</u>

NOVEMBER 2ND, 1982, ELECTION CANVASS RESULTS CONTINUED

L I N E	COUNTY	
	OPINION	POLL
	OPINION NUMBER 2	
	"A"	"B"
1	15	3
2	79	29
3	196	37
4	157	32
5	127	23
6	33	16
7	186	122
8	129	110
9	155	87
10	75	34
11	78	38
12	293	205
13	173	146
14	58	59
15	42	34
16	116	91
17	65	35
18	59	37
19	116	62
20	95	55
21	119	92
22	180	191
23	94	91
24	152	146
25	179	147
26	54	19
27	29	13
28	60	26
29	13	4
30	4	3
	<u>3131</u>	<u>1987</u>

REGULAR NOVEMBER 8TH, 1982 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, November 8th, 1982, beginning at the hour of 9:00 A. M.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
Carma Hulet, Deputy Clerk

Invocation: James L. Clark

Minutes read and approved.

BUILDING

INSPECTOR : As the first matter of business, Mr. Steven Grimshaw, County Assessor, was given audience for the purpose of reporting on a Legislative Conference which he had recently attended in Salt Lake City, and for the additional purpose of discussing the matter of employing a County Building Inspector. Indicating that Gary Tharpe, who is presently serving as a Deputy in the Assessor's office, and Building Inspector as well, is unable to perform both services. The report on the Legislative conference was received and reviewed with interest, but most of the discussion centered around the subject of the Building Inspector and related factors. A number of suggestions were made, but no firm action taken. It was recommended, however, that a Budget Proposal be submitted for consideration at the Budget preparation meeting.

CANVASS

RETURNS : Since on this date at 12:00 noon Canvass of Election returns for the General Election of November 2nd, 1982, is required to be made, and since this is the regular meeting date of the Board of County Commissioners, and since their Agenda is full, a motion was duly made by Commissioner Dee G. Cowan, seconded by Commissioners James L. Clark, with all Commissioners voting in the affirmative, appointing and authorizing Merna H. Mitchell, Deputy County Treasurer; Steven Grimshaw, County Assessor; and Ira Schoppmann, County Sheriff; to conduct the Canvass. All in conformity with the provisions of law pertaining to the matter in instances where a Commissioner or Commissioners are unable to serve in such capacity.

ROOM

TAX BOARD : Mr. Garth Jones, County Industrial Development Director, appeared relative to the Room Tax Board membership, and a proposal to increase the rate of tax to 3%. Mr. Jones explained that in order to bring the Board to full strength of seven (7) members, the appointment of two new members

becomes necessary. Accordingly, he recommended the appointment of Brenda Adams, and H. C. Deutschlander. The recommendations were considered, and by motion duly passed, which was made by Commissioner Dee G. Cowan, and seconded by James L. Clark, were approved.

BID

OPENING : Mr. Lynn Fiack, County Road Supervisor, appeared for purpose of presenting for consideration by the Commissioners bids received in response to his call for bids on furnishing to the County Road Department, one air compressor, and one sander. Bids were opened and found to be as follows:

Air Compressor:

Cate Equipment Company	\$10,201.00
Western Road Machinery	\$14,090.00
Western Road Machinery (Alt)	\$10,350.00

Sander:

Western Road Machinery	\$ 5,378.00
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After due deliberation, a motion was unanimously passed, which was made by Commissioner James L. Clark, and seconded by Commissioners Dee G. Cowan, accepting the bid of Cate Equipment Company for the Air Compressor, and Western Road Machinery Company for the Sander.

CLAIM STUART

MATHESON : Reported Stuart Matheson having difficulty on a Claim which he has filed with the Industrial Commission. Dennis Lowder, County Auditor, and James L. Shumate, County Attorney, delegated to lend their assistance.

CLOUD

SEEDING : Don Griffiths, Clark Ogden, and Roy Urie, representing the Water Resource Board, appeared for purpose of soliciting participation by Iron County in the Cloud Seeding program for the upcoming season. After discussion and review, the Commissioners agreed to participate in the coming seasons activity to extent of \$9,200.00. The action being confirmed by the unanimous passage of a motion which was made by Commissioner James L. Clark, and seconded by Commissioners Dee G. Cowan.

BEER

LICENSE : Mrs. Margaret Hager, appeared for purpose of attempting to persuade the Commissioners that they should reverse their action at the previous Commissioners meeting, and approve a Beer License to her as successor in interest to the Business of one Frank Haigh, at Modena. After review, the matter was tabled pending consultation with Sheriff Ira Schoppmann, and County Attorney, James L. Shumate.

6
SANITARY
LANDFILL

: The Commissioners, upon discussion of items related to serving of the County Land Fill, recommended that the Contractor, Robert DeMille, be invited to meet with the Board at its next regular meeting of November 22nd, 1982.

FIRE
DEPARTMENT

: Mr. Royce Barton, Chief of the Paragonah Fire Department, met the Board for purpose of submitting Paragonah's request for assistance from Iron County in further improvement of their facility for housing fire fighting equipment. Anticipated from the County \$4,200.00.

The Commissioners took no action respecting the Claim, but concluded to first explore the possibility of Paragonah Town qualifications for a Block Grant to fund the project. The Board anticipating that they may be able to obtain an answer to this possibility on Wednesday, November 10th, 1982.

TELEVISION : The management of K U T V, approached the Commissioners by way of telephone as to the possibility of either leasing or purchasing that portion of Iron County's Television Translator systems over which K U T V programs are broadcast to support their desire or interest in providing some degree of local broadcasting. The Board, after casual review, found themselves willing to consider the proposal or offer, and directed that a representative of the Firm appear at the next regular Commissioners meeting of November 22nd, 1982.

HOME
HEALTH AIDE

: A letter was received and considered from Van L. Bushnell, Southern Utah State College, requesting that Iron County cover the difference between the cost of the Home Health Aid program, planned to be conducted at S U S C, and that to be covered by tuition fees. Estimated to be not greater than \$350.00. After a brief discussion, the Commissioners agreed to under-write the program to extent anticipated, and to accommodate them with the payroll service desired. Mr. Bushnell to be so advised.

TAX
MATTER

: Mr. Paul Beck, his wife Olga, and Steven Grimshaw, County Assessor, appeared before the Board concerning the increase and/or assessed valuation placed on the home of the Becks. A considerable discussion ensued with respect to the matter. Concluding in a continuance pending further investigation and study by the County Assessor.

JOINT
MEETING

: At 1:00 P. M., as scheduled, a meeting of a general nature was held with representatives from all Incorporated Units of Governments in the County who wished to have representatives present.

Those attending were:

Howard D. Knight, County Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Rex Emenegger, Brian Head Mayor
Steve Williams, Town Manager, Brian Head
Lyle Heap, Parowan City Recorder
Gil Funston, Parowan Development Council
John C. Pendleton, Parowan City Mayor
Hal Adams, Enoch Councilman
Harold Hiskey, Cedar City
Joe Melling, Cedar City Manager
Robert Linford, Cedar City Mayor
Wes Howery, Enoch City Manager
Carl Herrmann, Enoch Assistant Manager
Worth Grimshaw, Enoch City Mayor
Dennis Ayers, Enoch Councilman
Louie Ton, County Commissioner Elect
Wimmer Mortensen, Parowan
Benson Haycock, Parowan

This was the first formal joint meeting of the County Commissioners and other local government officials, a procedure which those attending felt should be scheduled as a regular monthly occasion for three or four months in an effort to better correlate City and County needs.

A number of items were brought on for discussion, including, but not necessarily limited to, the following:

1. A proposal to raise the Room Tax from 1.5% to 3%, on a basis of 60% County and 40% Five County. Subject to review after 1 year.
2. Water Development. This discussion centered around a plan to set up a water conservancy District. After discussion, this matter was tabled for study. There were some assignments made to individuals for study and report.
3. The possibility of consolidating all Fire Stations in the County and establishing a County Wide Fire District. Discussion centered around arranging for some type of study, including the possibility of funding by County wide mill levy. Fire Department heads to meet and discuss the possibilities of a joint venture in Fire Fighting.

PLANINNING
AND ZONING

: A proposal that the County, City, and Town Plainning and Zoning Committees and/or Councils could probably profit by Counciling together. Accordingly, Chairman of the various planning entities to be advised to hold an exploratory meeting.

LAW
ENFORCEMENT

: The subject of whether or not City and Law Enforcement Agencies should switch to a new high-band micro-wave radio frequency.

No action was taken pending recommendations from City and County Law Enforcement Officials. Some comments were made with respect to Road Blocks, as well as the adviseablility of creating an Ordinance making it unlawful to sell beer outside Incorporated Cities and Towns. To get an attorney's opinion before writing.

After bills against the County had been either accepted or rejected, the meeting was adjourned.

APPROVED: Howard D. Knight
Chairman

ATTEST: Oliver Heeler
Clerk

SPECIAL MEETING NOVEMBER 9TH, 1982

Minutes of a special and joint meeting of the Board of Iron County Commissioners, Officials of Cedar City Corporation, Representatives from S. U. S. C., and other interested parties. The meeting was held in the meeting room at the County Courthouse, Parowan, Utah, November 9th, 1982, beginning at the hour of 10:00 A. M.

Officials attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
James L. Shumate, Attorney
Robert Linford, Mayor (Cedar City)
Thomas Cardon, Cedar City Councilman
Conrad Hatch, Cedar City Councilman
Lee Fife, Cedar City Councilman
Robert Braithwaite, Cedar City Attorney
Joe Melling, Cedar City Manager
Gerald R. Sherratt, President of S. U. S. C.
James C. Robinson, Commissioner Elect
Louie Tong, Commissioner Elect
Carma S. Hulet, Deputy Clerk
Ira Schoppmann, Sheriff
Frank Nichols, Fiddler's Canyon Developer

Other interested parties:

Ralph Edwards, of Edward & Daniels, Inc.
Michelle Bates, Iron County Record Reporter
Cal Rollins, K S U B
Paul R. Stewart, Cedar City
Earl Hansen, Cedar City
Ray Fredell, Cedar City
Wimmer Mortensen, Parowan City
Karl O. Mitchell, Parowan City
Howard M. Adams, Parowan City
Ernie Heyborne, Cedar City
Marvin W. Morris, Cedar City

Invocation: Conrad Hatch.

The meeting was called and conducted in an effort to unite all parties directly concerned on the matter of a site for the proposed new Iron County Jail. After all who were interested had had an opportunity to express their feelings pro and con with respect to the matter, the Cedar City Official family agreed to support the County Commissioners and the Electorate in selection of the "North Interchange" Site, conditional upon an appropriate zoning change being accomplished. While S. U. S. C. President Gerald Sherratt took no firm stand as to the matter of site selection, he did indicate the Fiddler's Canyon selection would give his efforts to secure a Special Events Center at the College a substantial boost. This factor appeared to have had considerable influence upon Cedar City's conditional support of the North Cedar City Interchange selection as well.

Many other factors were informally discussed related to the subject matter, including but most certainly not limited to the methods of funding. At this point

in time there seems to be three option open:

- (1) Returns to the Electorate with a Bond Issue Proposal.
- (2) Obtain funding from sources other than debt obligation.
- (3) Obtain a Supreme Court ruling declaring the Building Authority concept constitutional. District Court hearing on this issue contemplated before January 1st, 1983.

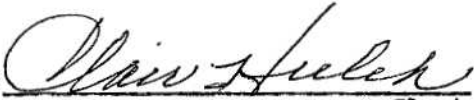
Edwards and Daniels Architects looked with favor on the site selection, and Chairman Knight announced that they would be assigned to draw up a set of places for Commission approval appropriate for the locality.

The basic purpose of the meeting having been accomplished, it was adjourned.

APPROVED:


Chairman

ATTEST:


Clerk

REGULAR NOVEMBER 22ND, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the County Courthouse, Parowan, Utah, November 22nd, 1982, beginning at the hour of 9:00 A. M.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney
Scott Jay Thorley, Attorney Elect
Louie P. Tong, Commissioner Elect

Invocation: Howard D. Knight.

Minutes approved.

TRANSIENT

ROOM TAX: The first matter to come up for discussion and further consideration was that of the Transient Room Tax. The Commissioners having heretofore agreed to an increase in the rate of tax from 1.5% to 3%, on a contemplated 60% County, and a 40% Five County split. It is now reported, however, that the Five County Association of Governments is insisting on a 50-50 split, and a suggestion that the equity of the parties be allocated and remitted direct to each by the State Tax Commission. After a rather in depth discussion with Garth Jones, County Administrator of the Funds participating, it was concluded to insist on the entire amount of such monies as are due Iron County, as determined by the Tax Commission, being mailed to Iron County, and such portion thereof as is subsequently determined to be justly due the F A O G, be remitted to them by the County. Furthermore, that final agreement as to a formula for sharing the tax with said F A O G, be continued pending a report from Color Country Advertising Committee on their reaction to the existing proposal.

BUDGET

MATTERS: Dennis Lowder, County Auditor, met briefly with the Commissioners, concerning elements of the Tentative Budget for 1983.

The following officers and other interested parties were present and given a hearing with respect to Budgets related to their respective departments:

Scott Jay Thorley, County Attorney Elect
Margaret Miller, Cedar City Justice or the Peace
Norman Forbush, Ambulance Service
Cora Hulet, County Recorder
Steven Grimshaw, County Assessor
Steven Grimshaw, Computer Service
Steven Grimshaw, Building Inspector
LaMar G. Jensen, County Treasurer

After all those who appeared and wished to be heard had been heard, further consideration of the Budget was continued until late afternoon.

NEW JAIL
PROJECT

: Lt. Robert Greenhalgh, of the Utah Highway Patrol, and Scott C. Gilmore, Division of Facilities Construction and Management, State of Utah, met the Board for purpose of exploring with them the possibilities, if any, of including all or at least some portion of State facilities planned for construction in the Cedar City area under the same roof as the new County Jail with mutual advantage to both parties. They explained the State's position generally, their need, and the fact that they would not rule out the possibility of their being interested in two Buildings. They stated, however, that the key to the whole thing was whether or not the contemplated State Bond Issue is approved December 13th, 1982. If it is, within a three months period they will have determined their course of action.

Some brief mention and discussion of the State being interested in satellite prisons, and the possibility of Cedar City and/or the St. George areas being considered as locations.

The matters considered were purely exploratory with no firm conclusion having been reached.

TAX
MATTER

: Mr. Gary Tharpe, Deputy County Assessor, met the Commission with respect to the Tax Assessment of Paul Beck, as a carry over from the previous meeting, and concerned an assessment listed under serial number B-65-25. Mr. Tharpe explained that after a careful review, he was prepared to recommend an adjustment of the property involved by 20%. The resulting tax decrease being \$167.28. After review, the Board approved the recommendation.

COUNTY

OWNED LANDS

: Concerning the subject of County owned land which the Commissioners are contemplating offering for sale, Mr. Gary Tharpe was authorized to prepare an inventory and an appraisal for submission to the Board for their consideration.

COUNTY

LAND FILL

: Robert DeMille, County Land Fill Maintenance Contractor, accompanied by his son Curtis DeMille, appeared at the Commissioner's request for review of procedural problems at the Land Fill. The Commissioners were concerned least more dirt fill was being used than required to meet state standards, thus not only resulting in a substantial over charge to the County, but an unnecessary accelerated rate of pit fill. After a rather extended discussion, a more conservative plan for cover, including not covering of the face was agreed upon. Also, the County agreed to pay

overruns based upon the Engineers calculations to date. However, beginning with next year, 1983, payment to be made on a monthly basis based on the contract bid for the year. Evaluation of the fill to be made quarterly, but settlement for overruns to be made at the end of the year. Chairman Knight to obtain letter from Bill Dawson of the State Health Department, hopefully compatible with action taken, and supply contractor DeMille with a copy or other assurance that plan is acceptable to the State Health Department.

NOXIOUS

WEED CONTROL : Mr. Jerry Bryant of Cedar City, who contracted with Iron County for the year of 1982 to do their Weed Control work, appeared for purpose of discussing with the Board their plans for 1983, principally to determine as to whether or not they would be willing to award him the Contract for the said year on the same bid basis. He was given reasonable assurance that they would. He also expressed an interest in the supervisor position. Other factors related to the program were discussed, but no further formal action taken.

BID

OPENING : At 2:00 P. M. bids received in response to the County's Invitation to bid for the position of Public Defender, were opened and read aloud in open meeting. Bids received were as follows:

- | | |
|--|---------------|
| 1. Patrick H. Fenton, Esq.
plus costs and expenses. | \$1000,000.00 |
| 2. Gunn B. McKay, Esq. | \$ 20,000.00 |
| 3. James L. Shumate, Esq. | \$ 15,000.00 |
| 4. J. Philip Eves, Esq. &
Willard R. Bishop, Esq. | \$ 24,000.00 |
| 5. Alan D. Boyack, Esq.
Option No. 1 | \$ 19,800.00 |
| Option No. 2 | \$ 24,500.00 |
| 6. Scott A. Gubler, Esq. | \$ 19,800.00 |

After review of Bid detail, a motion was duly passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, accepting the bid of James L. Shumate, Esq, as being lowest and best, and having been determined to meet specifications. Scott Jay Thorley, County Attorney Elect, to work with Mr. Shumate in preparing an Agreement compatible with terms of the Bid.

DETENTION

CENTER : A letter was received from Mr. Jay Maughn, Youth Correction Director for region 3, relative to existing problems at the Detention Center under leave from Valley View Medical Center. The Commissioners having noted the deficiencies cited, directed that Mr. Joe Miner, Detention Facilities Supervisor, be furnished with a copy of the letter, and be invited to

appear at the Commissioner's December 13th, 1982, meeting for consultations. Furthermore, since the Detention Center falls naturally under the County Sheriff's Department, that Sheriff Ira Schoppmann be charged with the responsibility of administration.

LICENSE

APPLICATION : The Application for a Business License covering Auto and Light Truck Repair by Stanley A. Szczesny, having heretofore been considered, and that time having been referred for zone check, was at this time declared not to be properly zoned, was ordered referred back to Applicant with suggestion that he appear at Planning Commission meeting, December 1st, 1982, at the Old Administration Building, S U S C, Room 204, Cedar City at and make Application for zoning change.

STATE INDUSTRIAL

INSURANCE : A lengthy review and study was made as to the advisability or inadvisability of the County joining in the State Indigent Medical Insurance program. After all available data had been evaluated, a motion was unanimously passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, providing that Iron County make application for membership in the program. The State Department to be promptly notified.

LICENSE

APPLICATION : The Application of Margaret E. Hager, for a Beer License for a business establishment at Modena, a carry over from the two previous meetings, was again considered, and continued for further investigation.

CIRCUIT

BREAKER : The Application of Ingrid Heggie for approval of a late Application for a Circuit Breaker Type Tax Abatement, was considered and granted.

PARTIAL

RELEASE : Security Title Company's request for approval of a partial release of 18 lots in Cedar Highlands Subdivision, was brought on for consideration and, in accordance with James L. Shumate, County Attorney's assurance that such action was appropriate under the circumstances, granted.

QUIT

CLAIM DEED : The Application of Security Title Company of Southern Utah for a Quit Claim Deed from Iron County for purpose of removing a cloud from the title of the following described property, it being determined that Iron County has no existing Claims against the property, was

approved and authorized:

Com. at the SE Corner of the SE⁴SW⁴, Sec. 29, Township 33 South,
Range 8 West, SLB&M, W 88 R - 40 R - E 88 R - S 40 R -.

After bills against the County had either been approved or
rejected, the meeting was adjourned.

APPROVED:

ATTEST:

Clair Hulek
CLERK

Howard D. Knight
CHAIRMAN



REGULAR DECEMBER 13TH, 1982, MEETING

Minutes of a regular meeting of the Board Of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, December 13th, 1982, beginning at the hour of 9:00 A. M.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney
Louia P. Tong, Commissioner Elect
Scott Jay Thorley, Attorney Elect

County Roads: Mr. Lynn Fiack, County Road Supervisor, met the Board for informal discussion of a number of items related to his Department, including but in no wise limited to the road to Maple Springs Recreation area. While plans and objectives were considered and generally agreed upon, no firm decisions were made.

FUNDING JAIL: Mr. John R. Sagers, and two associates from the investment Division of the First Security Bank Of Utah, appeared for the purpose of first proffering their services as Financial Consultants to the County and presenting a proposed agreement covering such services, and secondly, to present a proposal for funding the proposed new County Jail. After presenting the most feasible and possibly the least costly approach to the problem from their point of view, they were advised that the County is presently under contract with Burrows Smith and Company for consulting services, and that there existed a real possibility that the project could be funded without the necessity of bonding. Accordingly, the delegates were thanked for their appearance and interest in the matter, and given assurance that if their services were needed they would be so advised.

BUSINESS

LICENSES: A letter was received and considered from James L. Shumate, County Attorney, in which he addressed the Beer License problem, heretofore raised by Mr. Frank Haigh, of Modena, containing also his recommendation for a solution. In substance, his suggestion was to the effect that as a result of the background of the case, which he had familiarized himself with, Mr. haigh should be advised to file a formal application for license, and thereupon be issued a license. The Commissioners adopted the recommendation with but slight modification, that being that when and if the application has been properly presented together with fee, it will probably be given favorable consideration.

The application of Mr. Howard L. Force of Modena for both a Grocery Store License and a Class "C" Beer License was called up for consideration. The application for the Grocery Store License was approved, but the application for the Beer License denied on grounds there existed the possibility that the applicant himself would not be in charge of sales for extended periods.

The application of Rita J. Jackson, also of Modena, for a Class "C" Beer License, was given brief consideration and denied.

The application of James Hatfield for a License to establish a wood yard some eight miles northwest of Cedar City on what was described as the corner of Cactus and Paradise, was approved if and provided there exists no Zoning conflict.

TRUCK

EXCHANGE: In accordance with a directive from County Attorney James L. Shumate, a motion was duly passed which was made by Commissioner Dee G. Cowan and seconded by Commissioner James L. Clark, authorizing the delivery of one used Truck, a 1968 Ford owned by Iron County, to Scott Holyoak of Parowan, to cover cost for facilities rented from Mr. Holyoak during the Iron County Fair (1982).

ASSESSMENT

MATTERS: Mr. Steve Grimshaw, County Assessor, presented three specific matters of business related to his Department for the information of, consideration of, and action on by the Board.

1st, he informed them concerning a recent factoring order which he had received from the Utah State Tax Commission. An order which he felt should not be complied with, at least until such time as the said Commission has released to him sales ratio study prepared by them and on which the factoring rate is based. Being information which he has requested and which to this date they have refused to surrender. The Commissioners were in full support of the action with respect to the matter as proposed by Assessor Grimshaw. County Attorney, James L. Shumate, assigned to so advise the Tax Commission.

Secondly, he presented for approval and execution an Agreement with Data Processing for continued support services. On motion of Commissioner James L. Clark, duly seconded by Commissioner Dee G. Cowan, with all Commissioners voting in the affirmative, the agreement was approved, and Chairman Howard D. Kinght authorized to execute the same for and on behalf of Iron County.

In the third instance, he requested and received authorization to refund the sum of \$42.46 to J. M. Palmer as a duplicate payment of property taxes for 1982 on a pickup truck.

ESCALANTE

VALLEY MATTERS: A delegation from Escalante Valley comprised of Alfred Pedersen, Doris Pedersen, and Carrol E. Stadlander, met the Commissioners for consideration of a number of items of interest to residents of the area.

1- A request for an appropriation of \$544.00 to cover cost of a pump replacement at the community center.

2- Funds to cover 1/3 the cost of power for their ball park.

No. 3, request for funds for Ambulance Service. Reported having four (4) E. M. T.'s in the area.

No. 4, submitted the name of Ralph Holt for appointment to the Housing Authority, as replacement for Niel L. Nielson, for term running from September 10th, 1982 to September 10th, 1987. The recommendation was confirmed.

With respect to items 1 and 2, the Board agreed to appropriate \$1,000.00 in recreation funds to cover the cost requirements for these items, with the further possibility that some assistance in this area might be obtained through Block Grants.

In connection with No. three, it was concluded to check out the possibility of a used Ambulance owned by Iron County, being made sufficiently serviceable to meet their present need.

BRIAN HEAD : Steve Lutz, of Brian Head, appeared and requested that Iron County fund Brian Head to the same degree as Cedar City in connection with their fire suppression efforts. He had no statistical data prepared to support his request, however. Wherefore, the Commissioners recommended that he return at a subsequent date with a report on the ratio county service performed by them bears to Brian Head City Service, etc.

INSURANCE PROPOSAL : Ron Bigelow and Pat Creamer, appeared for the purpose of presenting a Group Insurance Program proposal covering Iron County Employees for the next fiscal period. The proposal was examined, considered, and compared with the Program of the present carrier, and a conclusion reached to continue with Utah Local Government Trust.

DETENTION CENTER : Mr. Joe Miner, Administrator of the Iron County Detention Center, appeared for consultation with the Commissioners at their request. A number of items were dismissed, ranging from the need of a more specific contract with Valley View Medical Center for facilities to repairs, maintenance, dual attendance, possibility of work out for inmates, and salary verses contract. With exception of instruction, to Mr. Miner to work under direction of Sheriff Schoppmann, have both male and female attendants present when both sexes are in custody, no formal action was taken.

AMBULANCE MATTER : Matters related to a recent collision involving the County Ambulance, which occurred in Salt Lake City, were discussed briefly with Norman L. Forbush, County Ambulance Program Director. Following

the discussion the matter was referred to County Attorney, James L. Shumate, for appropriate action. The Board also concluded to include in the 1983 Budget funds for contemplated replacement of the equipment.

DEPUTY ATTORNEY : Mr. Scott Jay Thorley, County Attorney Elect, visited briefly with the Commissioners regarding the appointment of a Deputy County Attorney. Upon being reminded that the matter was probably not appropriate as of this date, no action was taken.

QUIT CLAIM DEED : A letter was received from the Utah Department of Transportation, proffering the sum of \$100.00 for a Quit Claim Deed from Iron County covering property described as Lot 1, Block 27, Plat "B", Parowan City Survey, for purpose of removing a cloud from the title created by failure of the Department to pay a tax delinquency existing on the property at date of purchase.

Following discussion, the Commissioners agreed to and did in fact authorize issuance of the Quit Claim Deed, but indicated a preference for and as an alternate, to the \$100.00 as compensation, an exchange of property on which quit claim is desired for that portion of Old Highway 91 intersecting U 130 north of the North Cedar City Interchange and abandoned by virtue of changing the approach to one now intersecting U 130 south of the Bowling Alley. This proposal was subsequently eliminated as a possibility, however, since the Department of Transportation is presently in process of selling the property to adjacent land owners. In as much as this was the only alternate proposal, it follows that the \$100.00 cash offer will be acceptable as due compensation for the Quit Claim.

HOLIDAYS : Since Christmas and New Years both fall on a Saturday for 1982, County Employees requested a ruling from the Board as to which working days should be taken as the holidays, Friday or Monday? After brief consideration, they set Friday as the Holiday for Christmas, and Monday for the New Years.

PROTESTED PAYMENTS : Two letters were received advising the Commissioners that the writers were paying their respective 1982 taxes under protest, and stating the cause and reason therefore, One from Paul R. Lunt, & the other from Robert L. Lipscomb. Both letters were ordered filed with the County Assessor for such action as he may deem to be appropriate.

CLAIM FOR

MONEY LOST : In accordance with a recommendation received from County Attorney, James L. Shumate, authorization was given for payment of a Claim against Iron County by one Daniel W. Babish in amount of \$740.00, as money taken from his person at the Iron County Jail and subsequently stolen. Mr. Shumate stating that he had exhausted his efforts to obtain an offset for this amount against money's paid out by Iron County on behalf of the Claimant.

ENTERPRISE'S

FIRE REQUEST : A letter was received from Lee Bracken, and Curtis Day, Fire Chief, of the Enterprise City, requesting a \$1,800.00 Grant toward the purchase of a second fire truck for Enterprise. Citing their willingness to disregard County lines in making runs with their equipment and the possible benefits accruing to Iron County as a result of this policy.

After review, the Board concluded that due to tight budgeting, they are not in a position to make such an award at this time, but as they are able to up-grade the Escalante Fire Equipment, Iron County may be in a position to reciprocate as to services.

SALARY

HEARING : At 1:00 P. M., as scheduled, a hearing was conducted on salary increases, and or other salary adjustments for the year of 1983, for all county officials and employees. No one appeared especially for the hearing other than employees from a number of the departments. After all were heard who appeared and wished to be heard, a motion was unanimously passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, providing as follows:

1. That the Commissioner's salary be raised from its present level of \$5,717.00 per annum per Commissioner to an annual salary of \$7,500.00 per Commissioner.
2. That there to be no other salary raise, perse, but in lieu thereof, Iron County pay insurance premiums costs for the family members of all employees now enrolled or subsequently to be enrolled in the County Group Insurance program.

Action was taken on two special cases with respect to salaries. One was the case of one of Sheriff Ira Schoppmann's secretaries who, through Sheriff Schoppmann, at a previous meeting obtained a one step increase in salary, and subsequently, informally obtained an additional step increase on the grounds that the minute entry covering action taken in the original instance was in error, that it should have in fact provide for a two step increase. The question therefore to be determined at this time being, "was the subject minute entry in error, and if so should it now be amended?" After discussion, the Board ruled that the said Minute Entry was not in error, and no amendment was authorized. Accordingly, the

original action and decision was declared extant.

The second case considered was whether or not, Lydia Austin's pay scale was now consistent with other secretarial salary scales being paid for by Iron County for like services, with full consideration being given to tenure. Information furnished by the Auditor was to the effect that it was not. Consequently authorization was given for an advance to Grade 3, Step 2, effective as of January 1st, 1983.

Another salary item to receive special consideration was that of Parowan Precinct Justice elect, Kenneth Adams. Mr. Adams appeared and requested information as to why the salary had been cut approximately 30% over that presently being paid the Justice of the Peace. He was advised that it was considered a part time position and they felt the time required did not justify the higher pay scale. If experience proves the job to require six hours per day and Mr. Adams is willing to devote that amount of time, the salary will be reinstated.

Following the salary hearing, the 1983 County Budget was called on for hearing. A number of persons were present for the said hearing, again largely comprised of those affirmatively interested.

After all who wished to be heard had had that opportunity, and such adjustment had been made as were necessitated by the hearing, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, approving and adopting the following as the Official Budget of contemplated expenditures for Iron County for calendar year 1983. The complete and detailed Budget having been placed on file and made a part of the record by reference:

1983

BUDGET OF EXPENDITURES

GENERAL FUND:

Commissioners	\$ 35,399.00
District Court	\$ 26,750.00
Cedar City Precinct Court	\$ 46,791.00
Parowan City Precinct Court	\$ 30,651.00
Circuit Court	\$ 6,300.00
Public Defender	\$ 16,000.00
Law Library	\$ 2,360.00
Data Processing	\$ 90,605.00
Auditor	\$ 45,116.00
Clerk	\$ 56,492.00

Treasurer	63,214.00
Recorder	100,628.00
Attorney	79,601.00
Assessor	100,944.00
Non-departmental	63,000.00
Courthouse and Grounds	88,000.00
County Building (Cedar City)	19,400.00
Elections	1,000.00
Planning and Zoning	2,700.00
Advertising & Promotion	26,522.00
Sheriff	376,500.00
Liquor Law Enforcement	6,500.00
Fire Suppression	80,367.00
County Jails	111,367.00
Detention Center	28,916.00
Building Inspector	25,072.00
Civil Defense	10,000.00
Health Services	14,400.00
Welfare Services	46,000.00
Ambulance Service	79,616.00
Rest Home	7,350.00
County Roads	688,450.00
Solid Waste	115,000.00
Weed & Pest Control	18,990.00
Parks and Playgrounds	10,000.00
Cooperative Recreation	6,000.00
Television (Cedar District)	17,750.00
Television (Parowan District)	6,575.00
Extension Service	27,397.00
Exhibits & Shows	20,000.00
Airports	6,000.00
Aging Program	8,000.00
Utah Association Of Counties	6,746.00
Employment Security	2,000.00
Cloud Seeding Program	9,231.00
Miscellaneous	10,300.00
TOTAL	<u>2,640,000.00</u>

After bills against the County had either been approved or rejected, the meeting was adjourned.

ATTEST: *Clara J. Fisher* Clerk

APPROVED: *Howard A. Taylor* Chairman

REGULAR DECEMBER 27TH, 1982, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners held in Commissioner Chambers at the Courthouse, Parowan, Utah, December 27th, 1982, beginning at the hour of 9:00 A. M.

Officers attending were:

Howard D. Knight, Commission Chairman
Dee. G. Cowan, Commissioner
James L. Clark, Commissioner
Clair Hulet, Clerk
James L. Shumate, Attorney
Louie P. Tong, Commissioner elect
James C. Robinson, Commissioner elect

Invocation: Howard D. Knight.

Minutes: Approved.

SALARY
REVIEW

: As the first matter of business, audience was given to the following named county employees for purpose of presenting their appeal for some sort of action by the commissioners to mitigate existing inequities in pay scale of county employees generated by the Board's recent action of authorizing payment by Iron County of Group Insurance Premiums for family members of employees, without any compensatory salary or in lieu of salary increases for those employees, who were either not enrolled in the program or had only single status coverage:

Alta Adams, Deputy Auditor
Roma B. Dalley, Deputy Recorder
Dixie Matheson, Deputy Recorder
Carma S. Hulet, Deputy Clerk
Merna H. Mitchell, Deputy Treasurer
Joan Davenport, Deputy Treasurer
Lorraine Johnson, Deputy Assessor
Patsy Cutler, Deputy Assessor

A rather lengthy discussion ensued with respect to the matter, with Mr. Dean Johnson, representing the Utah Local Government Trust, present and participating.

After all had been heard who wished to be heard, based primarily on Mr. Johnson's recommendation, a motion was unanimously passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, providing that instances where employees are not participants in the general group program and/or of single status, an Annuity Plan be established under and through direction of Mr. Dean Johnson, and to which a contribution from Iron County of \$35.00 per month be made for and on behalf of the employees. A further provision being, that the individual employee be afforded the option of personally adding

to the contribution if he should choose to do so.

A motion was also unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, providing that any Elected Official who has served a minimum of two terms, is eligible to continue with the County Group Plan, at his or her own expense.

INDIGENT
CLAIMS

: Mr. Dick Morrill, representing Valley View Medical Center, appeared and presented a Claim against Iron County in the sum of \$9,815.84 as medical assistance rendered to individuals with indigent status. After review, a motion was duly passed, which was made by Commissioner James L. Clark, and seconded by Commissioner Dee G. Cowan, authorizing payment of the Claim, and directing that legal action be instigated in an effort to recover from Michael Hambee, for the sum of \$5,376.90.

TAXATION
MATTER

: Mr. Steve Grimshaw, County Assessor, appeared seeking authority to transfer a Personal Property Tax attachment of \$920.00 from Serial Number D-909-1 to Serial Number B-1108-2-1. On passage of a motion, which was made by Commissioner James L. Clark, and seconded by Dee G. Cowan, he was so authorized.

APPOINTMENT

: Mr. Steve Grimshaw, County Assessor, also recommended that Mr. Chad Nay, of Cedar City, be appointed as Building Inspector, Zoning Administrator, and Supervisor of the County Sanitary Fill at a salary of \$1,176.00 per month, and to encourage tenure, a Bonus Incentive.

On motion duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, the recommendation was accepted, and approved.

CORRY
AGREEMENT

: Reference to that certain Agreement and Option, executed by Ila Corry, of Cedar City, and Iron County, a body corporate and politic of the State of Utah, December 31st, 1980, reminded the Commissioners that if they, for and on behalf of Iron County, intend to exercise the option as provided, for in the subject Document, recorded in the office of the County Recorder, Book 271, Pages 906-907, it must be done prior to December 31st, 1982.

Upon review, the Board was unanimous in its decision not to exercise

the option, thus making the note and mortgage covering balance due Iron County of \$7,000.00, (no interest) due, and payable immediately. Mrs. Corry to be advised of their decision.

ESCALANTE
VALLEY

: Four delegates from Escalante Valley headed by Alfred Pedersen, who acted as spokesman, met the Commissioners for consideration of a number of items of specific interest to them. They had not arranged for a slot on the agenda, but were never-the-less given full opportunity to air their views. Among the items given general consideration were the following:

First review and suggestions relative to the proposed Fire House and Equipment Shelter at Beryl. This included but was not limited to, advisability and possible advantage of changing type of materials to be used in construction, advantage and/or disadvantage of contracting labor and the feasibility of piping water from the housing units, rather than having to drill.

Second, salt content showing in the water of the area and possibility of securing assistance in obtaining a study and report through the Extension Service and/or Soil Conservation.

A few other items of general importance were discussed, but no action taken.

COUNTY
ROADS

: With the possibility of enhancing to some degree the County's capability of funding a proposed new Jail through reducing unnecessary demand on general revenue, the Commissioners passed a motion which was made by Commissioner Dee G. Cowan, and seconded by Commissioner James L. Clark, providing in substance and effect as follows:

1. That Dennis Lowder, County Auditor, be invited in for review of the County Road Budget, contemplated source of and availability of appropriate funding, and for authorization and a directive from the Commissioners that he, as County Auditor, approve and/or make no expenditure for road purposes for the year of 1983, except payment therefore be made from Class "B" Funds. At the same time recognizing that one possible exception would exist, that being the necessity for expenditure of funds on a road not on the Class "B" or collector system.

In accordance with the foregoing provision of the motion Mr. Lowder appeared, reviewed the matter with the Board and could see no problem from the standpoint

of his office in complying the mandate of the Commissioners.

2. That every effort be made to program as much of the madated construction funding requirement of the Class "B" Funds as legally appropriate, under force account; in order that projects so qualified may be utilized to employ County Road Department Personnel, thus serving to indirectly supplement funding of the overall County Road Program.

After bills against the County had either been approved or rejected, the meeting was adjourned.

ATTEST: *Oliver Heulek*
Clerk

APPROVED: *Dee Howson*
Chairman