

REGULAR JANUARY 10TH, 1983, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers, at the Courthouse, Parowan, Utah, January 10th, 1983 beginning at the hour of 9:00 A. M.

Officers attending were:

Dee G. Cowan, Commissioner
James C. Robinson, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Commissioner Dee G. Cowan.

Minutes of the previous meeting were approved as read.

ORGANIZATION : In as much as this was the first meeting of the Board for the year of 1983, and since this was the first Commission meeting for the newly elected members of the Commission, the first Order of Business was determined to be that of organization. First in order of importance was the selection of a Chairman. Following a brief discussion, and a flip of the coin, Commissioner James C. (Jim) Robinson was seated in this capacity.

Second in order came the Departmental assignments which were, by mutual consent, as follows:

Chairman James C. Robinson:

1. Recreation
2. Agriculture
3. Exhibits and Shows
4. Planning and Zoning

Commissioner Dee G. Cowan:

1. Roads
2. Public Safety
3. County Libraries

Commissioner Louie P. Tong:

1. Governmental Relations
2. Industrial Development
3. Public Health and Welfare

Third, Interdepartmental Relations:

Chairman James C. Robinson:

Auditor

Treasurer

Attorney

Commissioner Dee G. Cowan:

Sheriff

Precinct Justice, Parowan City

Precinct Justice, Cedar City

Commissioner Louie P. Tong:

Clerk

Recorder

Assessor

OFFICE

RENTAL : Mr. Lynn Esplin, County Agriculture Agent, appeared for consultation with the Commissioners regarding the fact that the Post Office Department had submitted a new contract for execution covering his office space, and that the rate had been increased substantially in excess of provision made for this purpose in his budget for 1983. The matter was discussed briefly, and the Agreement submitted to County Attorney, Scott Jay Thorley, for review and recommendation.

JUVINILE

DETENTION : Sheriff Ira Schoppmann, appeared concerning items cited as deficiencies at the Iron County Detention Center by Wayne Holland of the Department of Social Services, as well as Rod Cosslet, Environmental Health Specialist. After brief review, the matter was referred to Commissioner Cowan, Sheriff Schoppmann, and County Attorney, Scott Jay Thorley, for review and report at the January 24th, 1983 meeting.

UNIFORM

ALLOWANCE : Sheriff Ira Schoppmann, also presented Claims from members of his Department for their annual uniform allowance. The Claims were reviewed and approved.

DEPUTY

COUNTY ATTORNEY: Mr. Scott Jay Thorley, County Attorney, presented to the Board his recommendation for the appointment of a part time Deputy. Explaining in some detail the reasons for his selection of J. Philip Eves, Esq, as his first nominee.

Mr. Dale Hatch, Esq, himself a candidate for the position, was also present and was given an opportunity to present his analysis of the most effective division of the responsibilities of the County Attorney's office, as between the Principle and the Deputy, and his willingness to function effectively and cooperatively under his proposed arrangement. Mr. J. Philip Eves, Esq, was given an opportunity to respond.

Thereupon, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, approving the recommendation of County Attorney, Scott Jay Thorley, this confirming the appointment of J. Philip Eves, Esq, as part time Deputy County Attorney at a salary of \$10,000.00 per year.

STATE
LANDS

: Mr. Kevin Carter, representing the State Land Board, appeared for the purpose of reporting to the Commissioners that the said State Land Board contemplated exchanging some 160 acres of land in Western Iron County for subdivision lots now owned by Robert Holt. While they had none, the Board was nevertheless given an opportunity to raise an objection if they had any. No further action was taken.

BUSINESS
LICENSE

: Mrs. Nora Whitney of Modena, appeared for purpose of renewing her Application for a Beer License, which had been previously rejected. In connection with her renewal, however, she informed the Commissioners that she would operate her business from a point on U-56 some what east of Beryl Cross-roads rather than at Modena. The Board concluded to obtain a recommendation and report from the Sheriff's department before taking formal action.

ADDITIONAL
COUNSEL

: Scott Jay Thorley, County Attorney, reported briefly on a recent Order of the Court requiring that the County provide two additional attorneys to act as defense counsel in Criminal No. 937, State of Utah, Plaintiff, -vs- Garrett Richmond Pyke, Clifford Marvin Garrett, and James Clifford Wise, Defendants. The matter came on for an informative discussion with no formal action taken.

PAROWAN

PRECINCT J. P. : Mr. Kenneth H. Adams, Parowan Precinct Justice of the Peace, appeared for purpose of discussing matters related to his Department.

He began by reminding the Commissioners that he also serves as Parowan City Justice, and in that capacity he also needs the services of a secretary. Wherefore, he inquired as to the possibility of the secretary serving him as County Precinct Justice, also serving, on a part time basis, as secretary to him as Parowan City Justice of the Peace. After discussion, he was advised that they, the County Commissioners, had no objection if Parowan City would agree to reimburse Iron County on a prorated basis for her service. Estimated to equal some \$100.00 per month. Mr. Adams to present the proposal to Parowan City, and

report their reaction.

PARAGONAH

FIRE DEPARTMENT: Mr. Royce Barton, Fire Chief for Paragonah Town, appeared seeking further financial assistance from Iron County in upgrading their fire fighting capabilities. More specifically at this time assistance in installing the floor in their Fire Station. The Board having heretofore budgeted some \$4,300.00 for this purpose conditional upon sale of property known as the Richardson Building. As an alternate possibility of funding the installation of the floor and as well the driveway, the block grant source was considered. It being conclude that upon Mr. Barton's furnishing to Commissioner Louie Tong, a cost estimate for the floor plus the driveway, Mr. Tong would investigate the possibility of obtaining funding through the said source at his next meeting with the Five County Association of Governments, and as well the procedure to be followed if such possibility exists.

AMBULANCE

SETTLEMENT : Mr. Barton also reported to the Board that the best offer thus far obtained from the Insurance Company for settlement of the Claim for loss by collision of a County Ambulance, was \$13,500.00. Accordingly, after due deliberation, a motion was unanimously passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, accepting the proffer.

BUILDING

AUTHORITY : Mr. Peter Van Alostyne, representing Burrows, Smith and Company, met the Commissioners for purpose of bringing them up to date on the case now pending before the Court challenging the constitutionality of the State Statute providing for the establishment of a County Building Authority. He reported on the present status of the case as well as its ultimate purpose. No action was needed on part of the Commissioners and none was taken.

QUIT

CLAIM DEED : The Application of Iron County Title Corporation, for a Quit Claim Deed from Iron County, covering Section 16, Township 33 South, Range 13 West, SLB&M, to remove a cloud from the Title created by an Auditors Tax Deed recorded during 1936, was by motion unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, approved, and authorization for issuance of "Quit Claim" given.

LETTERS

B. L. M. : Commissioner Louie P. Tong, presented a very personal letter which he had received from Mr. Morgan Jensen, District Manager of the Bureau of Land Management, congratulating him on his election as Iron County Commissioner, and expressing his and thus his department's willingness to cooperate fully in an effort to mitigate problems of mutual interest as related to public lands. It was Commissioners Tong's desire that the record reflect his appreciation for the letter and its contents, and the desire on his part to reciprocate. Furthermore, that Mr. Jensen be so advised. Subsequently, it was learned that Chairman James C. Robinson received a similar communication, and he likewise was most appreciative of the message conveyed by its contents.

PROJECT

BOLD : In response to a letter received by the Commissioners from Ralph Becker, Project Bold, Coordinator, seeking an expression from them as to their position relative to the project; it was determined, following review, that they were unanimously opposed. Mr. Becker to be so advised.

CHANGE OF

MEETING DATES : At the request of Chairman James C. Robinson, consideration was given to a proposal to change the Regular County Commissioner's Meeting dates from the second and fourth Mondays of the month to the second and fourth thursdays. There apparently being no substantial opposition, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louis P. Tong, authorizing the change, and directing County Attorney, Scott Jay Thorley, to draw the necessary Ordinance for approval and publication.

BEER

LICENSE : Re-application by Howard Force of Modena, for Class "C" Beer License was also referred to Sheriff Ira Schoppmann, and County Attorney, Scott Jay Thorley, for investigation and recommendation.

INTERSECTION

OBSTRUCTION : In accordance with the recommendation of Road Supervisor, Lynn Fiack, a motion was duly passed, which was made by Commissioner Dee G. Cowan and seconded by Commissioner Louie P. Tong, authorizing County Attorney, Scott Jay Thorley, to draw an Ordinance for approval and publication, requiring the removal of and/or preventing the creation of visual obstructions at County Road Intersections. The restriction to be sufficient to provide at least three hundred feet visibility in each direction.

SUMMIT SERVICE

DISTRICT : A request from Officials of the Summit Town Special Improvement District, that they be included in the scope of the County Public Audit, was considered, and rejected largely on the grounds that they, through sponsorship of Iron County, were set up as a separate entity and should therefore arrange for their own audit.

STATE REST HOME

AGREEMENT : The matter of an attempt on the part of the State Department of Social Services to include Iron County as a party to the Rest Home Agreement, came on for consideration. Following a brief review, the Agreement was referred to the County Attorney for study and for consultation with the Attorney General's office. It being the position of the Commissioners that, while the Rest Home Facilities are actually owned by Iron County, the function is under management and administration of the Lessee of the facilities, and Iron County should not therefore be a party to the Agreement.

CIVIL

ACTION 9709 : The Commissioners were advised that a Summons and Complaint had been served on Iron County in connection with Civil Case No. 9709, being an action for damages by one Richard G. Evans. Again the matter was referred to County Attorney, Scott Jay Thorley, for appropriate action.

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

APPROVED:

James C. Johnson

CHAIRMAN

ATTEST:

Oliver Heeler

CLERK

JANUARY JANUARY 24TH, 1983, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, January 24th, 1983, beginning at the hour of 9:00 A. M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Carma S. Hulet, Deputy Clerk
Scott Jay Thorley, Attorney

Invocation: Clair Hulet.

Minutes approved as read.

BLOCK GRANTS : The first matter to receive consideration was related to the question as to whether or not Iron County should foster and file Application for a Block Grant to cover cost of installation of a cement floor and drive-way for the Paragonah Fire House. After discussion, it was concluded that Paragonah Town should process and file its own Application.

GREEN-BELT : A letter was received from Ruth Marie H. Pendleton, explaining that she is now the owner of certain land in Iron County listed under Serial Number B-1-9-21, which, prior to her receiving title to the property, was listed Greenbelt. Explaining that she did not understand that upon transfer of ownership to her she in turn must make proper Application if it is to continue under such classification. As a result she was assessed for 1982 under a non-greenbelt basis, substantially increasing her taxes. Wherefore, she now requests that the Commissioners grant her relief compatible with action heretofore taken by them related to a situation identical to the one she now finds her self in.

After review, a motion was duly passed, which was made by Commissioner Louie P. Tong, and seconded by Chairman James C. Robinson, approving the request and thus authorizing appropriate adjustment for 1982. Commissioner Dee G. Cowan abstaining from voting for reason of relationship to the Applicant.

JOB SERVICE ASSIGNMENTS : A letter was received and considered from Job Service, Cedar City, announcing the fact that funds had been appropriated to them for purpose of temporarily assisting the eligible unemployed who had exhausted their unemployment benefits. Inquiry was made as to whether or not Iron County was in position and willing to provide work sites, and if so how many could

be used and at what occupation.

After review, the Board concluded that possibly two could be used in the Road Program, and perhaps others by some of the other departments. Mr. Curtis Johnson of Job Service to be so advised.

LAND AND WATER FUNDS : Another letter was received from the Utah Department of Natural Resources, advising that funds were available on a matching basis in the area of Outdoor Recreation. In this connection, Chairman James C. Robinson requested and received authorization to investigate and if found appropriate, to make Application for funds to assist with road improvement at Wood's Ranch, and with preliminary development at Maple Springs, and Three Peaks Recreation sites.

COUNTY PROPERTY : The Commissioners again reviewed briefly their goal of selling surplus County property, and possible methods to be used. They found that, while they certainly would not reject any assistance Real Estate Brokerage Firms might offer, they at this point in time did not favor exclusive listings, and did favor sale at private treaty.

Mr. Clell Edwards, apparently interested in acting as agent, was scheduled on the agenda for an appearance. He failed to appear, however, and the Commissioners concluded to make the sales list available to him if he desires it, and agree to a 6% Commission, but make no exclusive listing.

Gary Tharpe to be invited to the next Commissioner's meeting for consultation with respect to values.

BERYL FIRE HOUSE : Mr. John S. Rowley, Architect of Cedar City, met with the Commissioners at their invitation, for purpose of considering the advisability of drawing up formal plans for construction of the proposed Beryl Fire House and Equipment Shelter. Following a brief discussion, the Board concluded that such action was advisable, and accordingly engaged the services of Mr. Rowley in preparing the said plans in accordance with verbal outline presented to him by the Board.

RECREATION FACILITIES : Mr. James L. Clark, former County Commissioner, appeared for purpose of further orienting the present Commissioners on new recreation sites, and other matters related to recreation. His main concern was to bring the Board up to date on what has been done and what needs to be done in furthering the Three Peaks and Maple Spring Recreation projects.

Also cited was the water problem at the Wood's Ranch Park, and remaining problems resulting from turning the Minersville Television site over to Utah Power and Light Company. More specifically, some items which were removed and not delivered to Iron County, which Elvin F. Webster claims of sufficient value to justify making an effort to obtain them. The presentation was purely informative, with no action taken and none necessary.

The Board did conclude, however, to work with County Attorney, Scott Jay Thorley, on the Wood's Ranch problem, and to join Mr. Clark in a visit to the Three Peak Recreation Site for an on site appraisal of its need, and potential.

NEW JAIL : Some aspects of the proposed new County Jail were reviewed, and a conclusion reached to call a meeting and invite the former members of the Commission to be present.

DETENTION CENTER : Commissioner Dee G. Cowan, and County Attorney, Scott Jay Thorley, reported on their recent visit to the County Detention Center. Among other matters they felt that a more specific Agreement should be worked out with I H C with respect to the facility, more especially the portion thereof dealing with maintenance. County Attorney, Scott Jay Thorley, obtained a copy of deficiencies cited in a recent inspection in order to work toward correction.

Some brief comment was made in reference to the rumored possibility that a regional center was being considered. This to be investigated.

AMBULANCE : Mr. Royce Barton of Paragonah, appeared for and on behalf of Norman Forbush, Iron County Ambulance Director, and presented the Board with a check in the sum of \$13,500.00 constituting recovery from Insurance Company for damages sustained by a County Ambulance by way of a collision in Salt Lake City. This being in conformity with a proffer and acceptance at a previous Commissioner's meeting. However, in connection with the release, they were requested to sign, a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, providing that the said release be modified in such manner as to clearly reflect the fact that it was and is intended to release the base 1977 Chevrolet Ambulance only, and not portable equipment or liability for personal injury.

It was reported that the Replacement Equipment would not be available for about 45 days. A meeting will be held in February to formulate plans for funding.

On motion duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, authorization was given for making the down payment of \$10,000.00.

The new equipment is to be picked up in Florida by Richard Grainger and Norman Forbush. They were admonished to see that Insurance coverage has been transferred to the new equipment before they accept delivery.

PARK SERVICE

MATTER : Mr. Don Gilispie and Clay Alderson, representing the National Park Service, appeared for purpose of soliciting Commissioner's support for legislation now pending before Congress, which would provide, through concurrent Jurisdiction, for National Park Service employees to act as Deputy Sheriffs within Park Service Boundaries. Explaining how the lack of such authority handicap them in administering the affairs of the parks.

It was reported that the Sheriff's Department is presently opposed to the purpose to be accomplished by the measure.

1. Personnel not properly trained.
2. Would not respect Park boundaries.
3. The additional Deputies would result in a budget cut.

After discussion, the Board concluded to call the Sheriff in at the next meeting for consultation, before taking formal action.

RENTAL

AGREEMENT : Lynn Esplin, county Agriculture Agent, met the Board for purpose of firming up his lease for office space with the U. S. Post Office Department. He reported that the new Agreement provides for a graduated increase over the next three year period.

1983-----\$219.50 per month

1984-----\$235.00 per month

1985-----\$256.00 per month

He explained, however, that this was the best arrangement he had been able to negotiate, and therefore recommended its approval.

Accordingly a motion was passed which had been made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, approving the Agreement and authorizing Chairman James C. Robinson, to execute the same for and on behalf of Iron County.

Another meeting with the Commissioners was scheduled for February 10th, 1983, at 11:00 A. M. to meet the new Director of the State Extension Service.

ORDINANCES : Two Ordinances were presented and unanimously approved, adopted, and ordered published. One changing the regular meeting dates of the Board of Iron County Commissioners from the second and

fourth Mondays of the month, to the second and fourth Thursdays; and the other increasing the Room Tax rate from 1.5% to 3.0%.

SNOW
REMOVAL : a contract prepared and presented by the Utah Department of Transportation covering snow removal from the Road running from the Brian Head Ski Resort to Panguitch, involving Garfield County, Brian Head City, Iron County, the Park Service, and the D O T, was presented, considered, and upon due authorization, executed for and on behalf of Iron County by Chairman James C. Robinson.

BEER
LICENSE : The Application of Nora Whitney, and Howard Force, for Beer Licenses in the Modena area, were again called on for consideration, and based upon recommendation from the Sheriff's Department, again denied.

NOTICE
LAND PURCHASE : A letter was received from the Bureau of Land Management, announcing that the Iron County School District had applied for, and said Bureau was contemplating sale to them of forty (40) acres of land located in Section 21, Township 36 South, Range 11 West, SLB&M. The notice was for the purpose of affording the Commissioners an opportunity to comment with respect to the Proposal.

The commissioners felt that they needed more information before being qualified to take a position in the matter.

APPOINTMENT
OF COUNSEL : Scott Jay Thorley, County Attorney, called on the matter of providing the services of a Prosecutor in the Criminal Cases 867, 868, and 869, all involving the same Defendant, William Kent Reed, for the cause and reason that he (Scott Jay Thorley) had been associated with the cases previously as Defense Counsel. Mr. Thorley recommended, and the Commissioners approved, the hiring of James L. Shumate, Esq, at a fee of \$300.00, to serve in this case.

APPOINTMENTS : Based upon a recommendation from the Aging Council, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, reappointing the following named persons to an additional term on the Council:

Lois McConnell
A. C. Hatch
Kenneth M. Joseph

Their respective terms too expire January 26th, 1986.

GOVERNMENTAL
CITY MEETING

: At 2:00 P. M. as scheduled, a meeting was convened of
representatives from the various Governmental Entities
of the County, including but not necessarily limited to the following:

Cedar City:

Mayor, Robert Linford
Councilman, Conrad Hatch
Councilman, Tom Cardon
City Manager, Joe Melling
City Attorney, Robert T. Braithwaite

Parowan City:

Mayor, John C. Pendleton
City Recorder, Lysle Heap

Enoch City:

Roger Hillyard
Sherrie Dial

Beryl:

Alfred Pedersen
Doris Pedersen

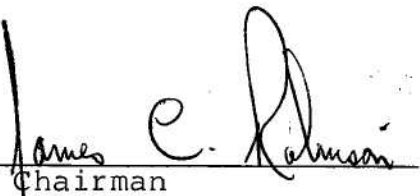
Iron County:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Scott Jay Thorley, County Attorney

A number of items of Mutual Interest was discussed, including Fire Control, Watter Conservation, Flood Control, Weed Control, Roads, Animal Control, Tourist Promotion, and Industrial Development. The only formal action taken was that of selecting a Committee to be headed by Joe Melling, Cedar City Manager, to study the Pros and Cons of forming a County wide Fire District.

There being no further matters of business to come before meeting it was adjourned.

Approved:


Chairman

Attest:


Clerk

REGULAR FEBRUARY 14th, 1983 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners held in Commission Chambers at the Courthouse, Parowan, Utah, February 14th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: James C. Robinson

Minutes of previous meeting were approved subject to an amendment correcting the impression that Lois McConnell, A.C. Hatch, and Kenneth M. Joseph were formally appointed to the County Aging Council at the said meeting of January 24th, 1983. However, a motion was duly passed at this time, which was made by Commissioner Louie P. Tong and seconded by Commissioner Dee G. Cowan, confirming the then proposed action.

AIR CONDITIONING
COMPUTER

: Mr. Steve Grimshaw, County Assessor, appeared before the Board for the purpose of consulting with them concerning a plan for temperature controls for areas in which the computer is stationed. He explained that a number of possibilities had been explored and the most feasible seemed to be that of working through Honeywell to obtain a modification of the general air conditioning system in such manner as to provide the special features required by the computer. This would require, however, the expenditure of some \$2,000.00 not provided for in the Budget. It was concluded that no formal action would be taken until funding possibilities have been checked out.

SALARY
ITEMS

: Sheriff, Ira Schoppmann, met with the Commissioners seeking approval for salary adjustments for a number of members of his Department.

- 1) Judy Turner, to be advanced from a grade 3 - step 4, to a grade 5 - step 2, effective February 1, 1983.
- 2) William Bradfield, from grade 8 - step 3, to grade 9 - step 1, effective February 1, 1983

- 3) William C. Mitchell, from grade 11 - step 2, to grade 11 - step 3, effective April 1, 1983
- 4) Richard C. Evans, from grade 11 - step 2 to grade 11 - step 3, effective March 1, 1983

On motion of Commissioner Dee G. Cowan, duly seconded by Commissioner Louie P. Tong, and with the vote all affirmative, the requests were granted.

DETENTION
CENTER

: With Sheriff Ira Schoppmann, present and participating, County Attorney, Scott Jay Thorley reported on his investigation of the County Detention Center. Among other matters, he explained that he would draft a new and formal agreement with IHC covering rental arrangement for the facility, and present it to them for their consideration. Hopefully, through this means, the issues related to maintenance could be cleared up. Sheriff Shoppmann, having heretofore been formally charged with supervisions, was instructed to investigate state requirement that Audio equipment be installed, and report. He is also to report further on supervisory personnel, manner of confirmation, etc.

BERYL
BUILDING

: Mr. John S. Rowley, Architect from Cedar City, and Bryner Wood, interested Citizen from Escalante Valley, appeared for review with the Commissioners of plans and preliminary cost estimates prepared by the Architect for a contemplated fire house and equipment shelter to be located at or in the vicinity of the Beryl Crossroads. After a rather in depth discussion and examination of the aforesaid information, it was concluded to continue the matter for further consideration at the February 24th, 1983 meeting, at 10:30 A.M. to afford Bryner Wood an opportunity to obtain and report on the extent of local support that could be anticipated.

BEER
LICENSES

: Again the matter of Beer Licenses for the Escalante Valley came on for consideration. Two of the three applicants being present; Mr. Howard Force and Mrs. Margaret Hager. Mrs. Nora Whitney not being present either

in person or through representative.

Following a report from County Attorney, Scott Jay Thorley, covering his investigation of the matter, a motion was unanimously passed which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan approving the issuance of a Class "C" Beer License to Mr. Howard Force. The application of Mrs. Hager is to be given further consideration at the February 24th, 1983 meeting upon her making formal application accompanied by the appropriate fee. Based upon information presently available, the application of Mrs. Whitney was continued to February 24, 1983.

GROUP INSURANCE : County Auditor, Dennis Lowder, and Mr. Dean Johnson, representing the Utah State Local Government Trust, met with the Commissioners concerning terms and conditions of the county group insurance program presently being carried by the Trust. Mr. Johnson explained the options open to the County as being the present 70-30 plan or an 80-20 plan. After review it was concluded that Mr. Johnson would meet and discuss the said options with the employees, and those who wished to could move to an 80-20 plan upon their agreement to pay the difference in premium cost.

APPLICATION ZONE CHANGE : At 1:00 P.M. as scheduled, a hearing was conducted on a proposed zone change on properties listed under Golden West Subdivision Units 1 and 2 from an A-20 to an R-5.

Mr. Kerry Carpenter, representing the firm of Coon, King, and Knowlton Engineers, appeared for the applicant. The following interested Citizens were also present:

Bill Hosmer
Emil Mulligan
Peggy Hunt
George E. Hunt
Mr. and Mrs. R. Joe Glaum
Lucille Hosmer
Dennis Garrett
U.A. Small

A considerable discussion ensued which at times went afield from the subject of the hearing, a request for zone change. After all had been heard who wished to be heard, the matter was tabled for further consideration.

Authorization for release of funds from a Trust Account established in conformity with an agreement by and between Iron County and Florence Behning, to cover Engineering fees to date was approved on a two to one basis. Commissioner Louie P. Tong dissenting.

SCHOOL MATTERS

: Mr. Steve Adams, Chairman of the Iron County School Board, and Bruce Decker, representing the administration staff, appeared for the purpose of consulting with the Commissioners concerning the School Boards' contemplated purchase of a forty acre tract of land from the Bureau of Land Management. After advising the Commissioners fully of the location and purpose, they were assured by the Commissioners that they had no objections, but to the contrary, supported their effort.

FEDERAL PROPERTY

: A letter from the State Department of Administrative Services, reminded the Commissioners that it was at this time necessary for them to review the County's eligibility to participate in the Federal Property Assistance Program, if they wished to continue to participate. Accordingly, the following Resolution was presented by Commissioner Louie P. Tong, who moved for its adaption:

RESOLUTION

BE IT RESOLVED by the Board of Iron County Commissioners, in regular session assembled this 14th day of February, 1983, that James C. Robinson, Chairman of the said Board of Iron County Commissioners, be hereby designated as Iron County's representative to secure the transfer to Iron County of Surplus Federal Property through the Utah State agency for Surplus Property, under the provisions of Section 203 (U) of the Federal Property and administrative service act of 1949, as amended, to obligate said applicant and its funds to the extent necessary to comply with the terms and conditions listed on the reverse side of Form USA 5p no. 101 (10-77)

BE IT FURTHER RESOLVED that a Certified copy of this Resolution be submitted to the Utah State Agency for surplus Property and that the same shall remain in full force and effect until written notice to the contrary is submitted to the said Utah State Agency for surplus property.

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

Parties designated as having authority to make purchases under the program, for and on behalf of Iron County, were as follows:

Louie P. Tong
Lynn Fiack
Ira Schoppmann

BUCKHORN FRONTAGE : A letter was received from Mr. Patrick H. Fenton, Esq. making inquiry as to the status of the East Frontage Road running from the Paragonah Interchange on I-15 to the Buckhorn Flat, and what type of service might be expected. The Board directed that Mr. Fenton be advised that, not by choice, Iron County has accepted responsibility for the said road, and that it will receive the same type of service and attention as other Iron County Roads of the same type and classification are presently receiving.

RENTAL CLINIC SPACE : A letter was also received from the Mayor of Parowan City, advising the Commissioners that after February 15th, 1983, Parowan City will no longer be responsible for payment of rental fees for the Medical Clinic presently housed in the County Courthouse. Accordingly, necessary contact was authorized to be made with clinic personnel in an effort to determine who will assume the said obligation.

CLEAN AIR RATING : A communication of voluminous proportions, relative to Iron County's rating as to the air quality was received and considered. A quick review of the Communication reflected some apparent ambiguities and contradictions. Wherefore, no action was taken on this matter pending clarification.

APPOINTMENTS : A request that Douglas Grimshaw and Tom Harris be reappointed to the county planning commission, was considered by the Board, and a motion duly passed which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, approving the request. Terms to expire January 26, 1986.

APPOINTMENT : A petition was received signed by some 82 citizens of the Parowan area requesting that Marie Orton be appointed and compensated for services rendered and to be rendered to Senior Citizens in applying for assistance for fuel needs, and other types of benefits. Since the petition, on its face, referred to the next winter session, no action was taken at this time.

RICHARDSON BUILDING : Hyatt Bentley submitted an appraisal, prepared by Rodney Adams, covering land adjacent to the Richardson Building, which may be deemed advisable to purchase to enhance the sale of the said Property. No consideration was given or action taken at this time with respect thereto, however.

TRAVEL AUTHORIZED : Commissioner, Louie P. Tong, requested and received authorization to attend a meeting in Salt Lake City, February 17th, 1983, in the interest of Iron County.

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

APPROVED:


CHAIRMAN

ATTEST:


CLERK

REGULAR FEBRUARY 24th, 1983 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners held in Commission Chambers at the Court-house, Parowan, Utah, February 24th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Scott Jay Thorley

Minutes approved as written.

STATE LANDS : Compatable with the agenda, audience was first given to Mr. Kevin Carter, representative of the Utah State Land Board, to present whatever matters of business he had which might be of interest and/or concern to the Commission.

First was the announcement that the said Board is scheduled to meet in St. George, Wednesday, March 9th, 1983, and that among the items to be considered there were the following:

- 1) A proposal for exchange of land with Rowan Williams in the Kannaraville area.
- 2) A proposal for exchange of land with Frank Nichols in the Fiddlers Canyon area.
- 3) Further exchange of property with Robert Holt in Escalante Valley.
- 4) An application for exchange by Antone Robinson in the Paragonah area.

The Commissioners were advised that the presentation was solely for their information, and to afford them an opportunity to take such action, if any, as they believe to be appropriate under the circumstance. Following a brief review, a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Chairman James C. Robinson, registering no opposition. Commissioner Louie P. Tong having not yet arrived, and not participating.

A rather informal discussion ensued regarding State Land Board Leasing practices, and the possibility of the County obtaining revenue therefrom by imposing a privilege tax. This is to be investigated.

Also considered, was the application of Charles Hart of New Castle, for permission to fence certain State Lands which he has under Lease. The Commissioners found no reason for being opposed to this proposal.

ROAD MATTER _____: Mrs. Pam Bayles, a resident of Parowan Valley, appeared in protest of existing Road conditions in the Valley, serving as access to the farm and residence of Mrs. Bayles and her family. The primary road in question was that running directly west from what is locally known as the Day Lane at a point some four miles north from Parowan, said point being north of the original Day farm property and south of the Dalton property. After discussion, the Commissioners agreed to refer the matter to the County Road Supervisor, Mr. Lynn Fiack, for review and possible re-classification as to priority rating.

BEER LICENSE _____: Mr. Craig Whitney appeared in support of the Beer License application of Nora Whitney of Modena. Upon examination of the area where the outlet is contemplated to be located, it was found to be in an improper zone. Accordingly, the Whitney's were advised that their application could and would not be given consideration until the station has been properly re-zoned.

BERYL SHELTER _____: John Rowley, Architect from Cedar City, and Bryner Wood, interested Citizen from Escalante Valley, again appeared to report on their recent efforts to find a means of at least constructing the shell of the proposed Beryl Fire house and equipment shelter, within

a cost frame consistent with Iron County's present funding capabilities.

After contemplating every possibility to reduce the necessary cash outlay through local labor contributions, use of county owned equipment, etc., the estimated cash requirement to completely enclose the structure would be \$56,200.00.

Whereupon, a motion was passed unanimously, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, authorizing John S. Rowley to formalize the drawings, and to submit an itemized listing of the hard dollars Iron County will have to provide to complete the contemplated first stage of the Building.

BEER LICENSE : Margaret Hager, again appeared relative to her application for a class "B" Beer License for a Business contemplated to be purchased, or leased by her at Modena.

After review, a motion was duly passed, which was made by Louie P. Tong and seconded by Commissioner Dee G. Cowan, approving the application subject to Mrs. Hager becoming the owner or the lessee of the Frank Haigh property, and in either event, the operator of the business.

APPOINTMENT : A recommendation from the County Aging Council, that Orville Isom, of Cedar City, be appointed as a member of the Council to fill the unexpired term of James W. Cotts, who had left the State, was considered and, on motion of Louie P. Tong, duly seconded by Commissioner Dee G. Cowan, with the vote thereon being all affirmative, the request was approved. Term to expire January 28th, 1985.

OFFICE SPACE : The request of Leora Bammes for permission to use one of the unoccupied rooms on the second floor of the Courthouse for use in her capacity, as Aging Council Coordinator, was referred to Commissioner Tong for investigation and appropriate action.

BUSINESS

IN HOME : The request for establishment of a County Policy as related to zoning changes to be required, if any, for residences from which a business is being operated, came on for consideration. After review the matter was referred to County Attorney, Scott Jay Thorley, for study and recommendation.

BEHNING
MATTER

: As a carry-over from the previous meeting, existing problems related to zoning changes and lack of compliance with Subdivision regulations as they relate to Golden West Unit 1, and Golden West Unit 2, owned by the Behnings, the Commissioners entertained a report from County Attorney, Scott Thorley, on his findings thus far. Among other matters it was learned that, (1) the agreement by and between Iron County and the Behnings is not, in the opinion of the County Attorney, being fully complied with, and (2) the zoning change on which a hearing was held at the previous Commissioners meeting had in fact been approved under the date of January 11th, 1982. Some question was raised as to whether or not the said action was appropriate, however.

In connection with firming up compliance with the aforementioned agreement, County Attorney, Scott Jay Thorley, was authorized to take such action as would seem to him to be justifiable under the circumstances. The prime issue at this time, seemed to be legalizing of the Subdivision, however.

RECREATION
GRANT

: The Board having been informed that forms had arrived for making application for a Recreation matching fund grant, if it was their intention to proceed, authorization was given for completion and filing of the said forms.

FIRE
DISTRICT

: At 1:30 P.M. a number of officials met the Commissioners for purpose of hearing a report from Joe Melling, Cedar City Manager, on the findings of a

Committee chaired by him, relative to the advisability of establishing a County wide Fire District.

In addition to Mr. Melling, those present and interested in the report were:

Robert Linford, Mayor of Cedar City
Robert Braithwaite, Cedar City Attorney
Bryner Wood, Escalante Valley
Albert Orton, Parowan City Fire Chief
Lyle Heap, Parowan City Recorder
Steve Williams, City Manager, Brianhead
Steve Lutz, Brianhead Fire Chief
Royce Barton, Paragonah Fire Chief
Dave Bentley, Cedar City Fire Chief
Roger Hillyard, Mayor of Enoch

Based on Joe Melling's report, supplemented by a report from David Bentley, on the adverse effect a County Wide Fire District would have on Fire ratings, more especially those of Cedar City, the concensus of opinion seemed to be to scrap the idea of a County Wide Fire District and leave the matter as is. There was continued discussion, however, relative to inter-community and inter-County agreements on mutual assistance being formalized, and executed and the reasons therefor. The chief of which was to prevent the possible forfeiture by Fire Department and their personnel of insurance coverage as a result of operating outside their normal jurisdiction. Attorneys for the various governmental entities to lead off in formulating acceptable agreements, and Commissioner Tong to obtain reaction of the four adjacent counties to the idea of inter-County reciprocal assistance agreements, at the next Five County Association of Governments regular steering Committee Meeting.

COUNTY

JAIL _____ : Mr. Robert Boyle, of the Architectural Firm of Edwards and Daniels, appeared for purpose of presenting and discussing with the Commissioners and other interested parties design plans and specifications developed to date, on the proposed new county jail. While his presentation dealt with items of a general nature, it was confined largely to the question of how they propose to meet necessary bed space,

and still keep the structure under fourteen thousand square feet.

Illustrations and explanations were detailed, and questions advanced by the Commissioners were treated in depth.

Upon concluding, Mr. Boyle recommended that a series of meetings be held relative to the subject matter, and in accordance therewith he was scheduled for March 24th, 1983, for the next in the series.

INDIGENT
CLAIMS

: Mr. Dick Morrill, of the Valley View

Medical Center, appeared for purpose of presenting claims for services extended to indigent persons by the said medical center. A lengthy discussion ensued regarding the claims, including but not necessarily limited to, time and effort expended in an effort to collect or mitigate the claims. Upon conclusion of the discussion, a motion was duly passed, which was made by Commissioner Dee G. Cowan and seconded by Commissioner Louie P. Tong, approving the claim totaling \$21,310.00.

TAX

MATTER

: Mr. Steve Grimshaw, County Assessor,

appeared, requested, and received authorization to strike taxes for the year of 1982, on property listed under serial number B-1-9-19-26 in the sum of \$326.66.

COURTROOM

COORDINATOR

: Chairman, James C. Robinson, advised the

Board that in order to fix responsibility and provide for an orderly scheduling of use of the Courtroom in the County Building on East Lincoln Avenue, Cedar City, someone should be placed in charge and he recommended that Justice of the Peace, Margaret Miller, be that person. There being no objection, the recommendation was approved.

RICHARDSON
BUILDING

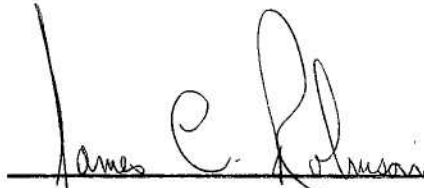
: County Attorney, Scott Jay Thorley, reported on his examination of the Lease Agreement with Bert Nichols on the Richardson Building. Indicating that the renewal of lease terms of the Contract does not obligate the County to review or negotiate except at their option, and therefore should not cloud the prospect of sale. Nevertheless, Mr. Thorley was authorized to advise Mr. Nichols that Iron County intends to sell the property upon receipt of an acceptable offer.

BID WEED
CHEMICALS

: James C. Robinson, Commission Chairman, reported to the Board that an Award had been made to low bidder for weed chemicals for the coming season. The commissioners concurred in the action taken.

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

APPROVED:


CHAIRMAN

ATTEST:


CLERK

REGULAR MARCH 10th, 1983 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, March 10th, 1983 beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Clair Hulet

Minutes approved as written.

FLOOD

CONTROL

: As the first matter of business, the Commissioners entertained a delegation comprised of the following named delegates concerned with flood problems in Escalante Valley and the Enterprise area:

Alfred Pederson, Beryl
Terry L. Pederson, Beryl
Chester Whitelow, Beryl
John McGarry, Beryl
Ronald Thompson, Esq., Washington County Conservancy District
Steve Creamer, Creamer & Noble Engineers
Reed Noble, Creamer & Noble Engineers
Steve Layton, Creamer & Noble Engineers
Frank Seegmiller, Creamer & Noble Engineers

Principal spokesmen for the group were, Alfred Pederson, Terry Pederson, Chester Whitelow, Ronald Thompson, and Steve Creamer.

Items discussed, but not necessarily limited to, were as follows:

- 1 - Existing flood and potential flood problems.
- 2 - Temporary solutions.
- 3 - The possibility of a permanent solution by the construction of an additional reservoir in Shoal Creek Canyon above Enterprise and below the two existing dams.

With respect to the later item, the Board gave their approval to the Creamer and Noble Engineering Firm investigating the possibility of funds being available for study.

Consideration was also given to a reported fact that some residents of the area, in an effort to protect their own property had installed obstructions which were adversely affecting other residents and the County Road system.

Upon conclusion of the discussion, the Commissioners agreed to meet residents of the Escalante Valley at 10:00 A.M., Saturday, March 12, 1983, at the Valley School Building for an on site inspection of the flooding problems.

DETENTION CENTER : Mr. Joe Miner, and Donna Miner, his wife, appeared for the purpose of making a report to the Board on their conduct and service as administrators of the County Detention Center, which was prompted by media reports which they construed as adversely affecting them.

They were advised by the Commissioners that as of the present time they were in no way on trial, or their employment in jeopardy. They were reminded, however, that they and the Detention facility had been placed under direct supervision of Sheriff, Ira Schoppmann.

GARBAGE : Mrs. John Simms, of Cedar Valley, appeared considerably upset over the fact that she had been billed for garbage pickup service while as a matter of fact she had neither received or was in need of the service.

The Commissioners attempted to explain to her the normal policy adopted by all governmented entities in administering a garbage control and pickup service District, including the necessity for all living within the District and being proffered the service to participate. However, her claim to having not been afforded the service, was assigned to Commissioner Tong for investigation.

PARAGONAH FIRE DEPARTMENT : Royce Barton, Paragonah Town Fire Chief, appeared seeking Financial support from Iron County for the purchase of an additional Truck to be added to the Department. He explained that the Truck was being offered

for sale by the U.S. Forest Service on a sealed bid basis, and upon being authorized they intended to submit a bid of some \$3,000.00. Upon obtaining an estimate as to the amount of matching funds possible to be obtained from the Paragonah Fire Department and Paragonah Town, the Board gave their approval to his submission of a bid. The amount was indefinite as to Paragonah's Town's participation, if any, but he stated that the Fire Department would contribute \$500.00.

E.M.T. PROGRAM : Bob Tuckett and Norman Forbush, met the Commissioners for the purpose of reviewing with them and attempting to obtain their approval of a contractual agreement for furtherances of the E.M.T. training Program in Iron County. They explained that they anticipated some eighteen Trainees for the subject training period, and the funding requirement would be \$165.00 per each Trainee, advising that the funding would not affect the 1983 budget, but could be made a part of the budget for 1984.

Following discussion and review, a motion was duly passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, approving the Contract as amended.

DETENTION CENTER : Mr. Paul Curtis, State Administrator of Youth Detention Centers of region South from Provo, and Mr. Jay Maughn, local administrator, met the Board for the purpose of reviewing with them problems and proposed solutions as related to Iron County's Center. The discussion centered around:

- Health Problems
- Only one usable exit
- monitoring equipment
- light fixtures
- line of authority
- back up personnel
- possibility of area center

Mr. Curtis advised that the State Department could provide and install the monitoring equipment, but that Iron County should

install recessed light fixtures, and a smoke alarm. He was advised by the Commissioners that matters related to line of authority had already been taken care of and that through said authority the matter of stand by personnel would be resolved.

COUNTY

ROADS : Mr. Lynn Fiack, County Road Supervisor, appeared for purpose of obtaining the Boards permission to negotiate for a pickup Truck. After discussion of possibilities, he was authorized to proceed as planned.

The County flood problem was also discussed briefly with Mr. Fiack, but no formal action taken.

ZONING

HEARINGS : The appropriateness and legality of the Commissioners holding hearing on recommended zone changes conjointly with the regular meeting of the County Planning Commissioner, was advanced by County Attorney, Scott Jay Thorley, and discussed at some length. In as much as such a scheduling had been made and published for April 6th, 1983, it was concluded to continue further discussion until after said meeting as this will give an opportunity to weigh the benefits, if any, to accrue from such procedure.

Mr. Thorley, being of the opinion that if properly noticed, there were no legal obstructions.

ORDINANCES

Ordinance 86
APPROVED : An Ordinance prepared by County Attorney, Scott Jay Thorley, dealing with visual obstructions caused by foliage or other objects, at County Road Intersections, and providing for the removal thereof, was adopted by unanimous vote of the Commissioners, executed, and ordered published.

TRAVEL

AUTHORIZATION : Mr. LaMar G. Jensen, County Treasurer, requested and received authorization to attend a Computer workshop scheduled for March 11th, 1983, in Salt Lake City. Also, James C. Robinson was authorized to attend a Conference on state and local government Law in Provo, March 18th, 1983.

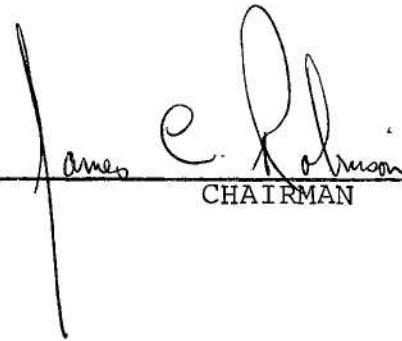
TAX

MATTER _____ :

The application of S.U.S.C. for waiver of taxes levied against property described as Lot 12, Block 3, Bramblewood Subdivision, Serial No. B1161-3-12, in the amount of \$59.34 for the year of 1982, which they purchased during December of 1981, again came on for consideration, and on this occasion was approved.

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

APPROVED:



CHAIRMAN

ATTEST:



CLERK



REGULAR MARCH 24th, 1983 MEETING

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

Officers in attendance were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Louie P. Tong

Minutes: Approved.

TAX MATTER : As the first matter of business, the Board gave audience to Mr. Jay Slade, et ux., of St. George, to present their request for waiver of penalties, interest, and costs accrued in connection with outstanding delinquent taxes on property owned by them in the Highland Park Subdivision, Cedar City. In support of their request, they claimed lack of notice, and their understanding that they were not required to pay taxes on the subject property.

Following a review of the matter, even though sympathetic to the position of the Slade's, the Commissioners could find no legally defensible justification for granting the request. It was accordingly denied, on motion of Commissioner Louie P. Tong, duly seconded by Chairman James C. Robinson; Commissioner, Dee G. Cowan abstaining.

PARK SERVICES : Mr. Clay Alderson, and Jerry Miles, of the National Park Services, appeared for purpose of discussing with the Commissioners road matters as related to Cedar Breaks National Monument. They indicated that they were at present giving consideration to construction of a second or supplemental road in the Park, back from the rim with the thought that it could be kept open during the winter months, making it clear that the proposed road, if constructed, would not replace the present through road. Questions were discussed, such as purpose to be served, extent of services, and cost justification. The Board assured them that, while they have a vital interest in what takes place in the parks, they had and would register no serious

objections to decisions of the Park Service as related to the matter so long as Iron County remains free and clear of any responsibilities in connection with the matter. No further action was necessary by the Commissioners in connection therewith and none was taken.

LAND FILL AND OTHERS : Mr. Steve Grimshaw, County Assessor, and Mr. Chad Nay, Building Inspector, appeared concerned with a number of items.

First, Mr. Grimshaw presented a plaque received by him, being a "County Achievement Award" from the National Association of Counties. An award for progress evidenced by the installation of a computer program, and related functions.

Second, was their assertion that Mr. Nay had, at least on occasion, time over and above that required by his specific assignment, and they desired Counsel from the Board on what other areas he might serve most effectively. Mr. Grimshaw, indicating that he had no objection to Mr. Nay being given other assignments, if work assigned to him through the Assessor Department is accomplished first.

After discussion, areas where additional services might be rendered were outlined as follows:

- 1 - To monitor, supervise, investigate, and make recommendation concerning operation of the County Land Fill. Excepting therefrom responsibility of measuring for volume. This to be made twice each year by Platt Engineers.
- 2 - Under given circumstances, where his expertise as a contractor would fit the occasion, to render assistance to the County Road Department; installation of boxes, etc.
- 3 - Render assistance in connection with the proposed building at Beryl.

Questions of Building Permit Fees, were discussed.

Mr. Nay is to study and report.

PARK WEST SUBDIVISION : Mr. Patrick Moore, a resident of Park West Subdivision, again appeared relative to County responsibility, if any, toward construction and maintenance of roads and/or streets in the Subdivision,

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attempting to show by assumptive deductions, that the roads had at one time been brought to County standards, and that the occupancy requirements had been met.

Mr. Moore was again advised that the Subdividers had failed to bring the roads to County standards, one of the prerequisites for County acceptance and maintenance, and that the further matter of occupancy was questionable. He was also advised that the previous compromise proffer of the Commissioners to use County man power and equipment to spread the gravel if the residents and/or the promoters, would provide the gravel in place, still stands.

ART EXHIBIT : Mrs. Jennifer Thorley, representing the Cedar City Art Committee, appeared seeking financial support from Iron County, and if possible an increase in participation this year. Supporting their request for increase by citing their increase in costs. Following a brief discussion, the Board authorized an appropriation of the budgeted amount or \$150.00.

REST HOME : Clarence J. Benson, Lessee of the County Rest Home, and Vern Hackwell, representing Honeywell, met the Board in an attempt to negotiate a contract by and between Iron County and Honeywell for Servicing Equipment at the Home. After a review of the proposal, which included service to be offered, at a stated annual fee of \$3,000.00, the Commissioners found themselves in favor of the proffer upon a satisfactory arrangement being worked out between the Lessee and Iron County with respect to distribution of costs.

Commissioner Tong being assigned to work with Mr. Benson on cost distribution. Matter to be finalized at next meeting.

INDIGENT MEDICAL CLAIMS : Scott Jay Thorley, County Attorney, inquired of the Commissioners, as to what action they wished him to take, if any, with respect to Indigent Medical Claims paid by Iron County. Following a brief discussion, it was concluded that some effort should be made to collect from the individuals whos claim had been submitted to and paid by Iron County. In this connection the further conclusion was reached that as a matter of

procedure, the County Attorney should seek an interview with the respective individual and based on the interview, make a determination as to what further action should be taken.

REDEVELOPMENT : The following delegates and individuals appeared for consideration of matters related to the Cedar City Redevelopment program:

Cedar City Mayor, Robert Linford
Cedar City Councilman, Lee Fife
Cedar City Councilman, Harold Hiskey
Cedar City Manager, Joe Melling
Cedar City Attorney, Robert Braithwaite
School Board Member, John Taylor
School Board Member, Gwyn Clark
School Superintendant, Clair Morris
School Board Clerk/Treasurer, Kent Peterson
Circuit Court Judge, D. Christian Ronnow
Citizen of Cedar City, Ray Fredell
Citizen of Cedar City, Barbara Fredell
County Assessor, Steve Grimshaw

First, a brief review of the new law as related to re-development was made by Robert Braithwaite, Esq. Second, comments by Cedar City Councilman, Harold Hiskey in an attempt to justify re-development for Cedar, including but not limited to, the claim that it is an investment, and that down town Cedar City is blighted, run down, and requires rebuilding.

For and on behalf of the Board of Iron County Commissioner, James C. Robinson, Chairman summed up the Boards reaction to be in substance as follows:

1 - That restraints be imposed after the manner specified in "A" and "B" below:

"A" - That the cash take by the agency be limited to \$100,000.00 per year

"B" - That the period of the re-development program be limited to 15 years

At this point, Ray Fredell presented a statement in opposition to the program which included the following points:

- 1) Matter not fairly presented
- 2) Officials refusal to present the matter to the people for their approval
- 3) Commissioners unwilling to give credence to the vote of the people
- 4) No adequate notice of meeting
- 5) People, if given a chance would reject the re-development proposal.

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After all had been heard who wished to be heard, upon recommendation of Chairman Robinson, there being no opposition, the following Committee was formed to prepare an agreement consistent with the Boards recommendation for review, approval, and execution:

Thomas M. Higbee, Esq., representing Iron County Schools
Robert Braithwaite, Esq., representing Cedar City
Scott Jay Thorley, Esq., representing Iron County

DETENTION LEASE : County Attorney, Scott Jay Thorley, presented an agreement which he had prepared for the Boards approval and execution, by and between Iron County and the Valley View Medical Center, covering the facility being used as a Detention Center.

Upon completion of a review of the agreement with the County Attorney, a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, adopting and approving the agreement, to be made a part of this record by reference.

PERSONNEL POLICY : Chairman, James C. Robinson, in the interest of establishing a new personnel policy for Iron County, requested and received authorization to appoint a committee to work on the project. Appointments were as follows:

Frank Slack, Sheriffs Department
Neil Forsyth, Road Department
Alta Adams, Auditors Department
Lorraine Johnson, Assessors Department
Elmer Truman, Custodian

Chairman James C. Robinson, to notify.

BLACK MOUNTAIN SKI RESORT : Commissioner Louie P. Tong, advised the Board that the Cedar City Chamber of Commerce had proffered to join Iron County in a study of the proposed Black Mountains Ski Resort. After discussion, it was concluded, however, that at this point in time, Iron County had no direct involvement or responsibility in the proposal, consequently joining in a study would seem to at least be premature, if not inappropriate.

TRAVEL
AUTHORIZED _____

: The matter of County Officials attendance at the State Convention of County Officials scheduled for late April in Ogden, was called on for consideration. After discussion, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, authorizing all officials who wish to attend to do so. Responsibility for reservations to rest with the respective officials.

ORDER _____ : At the suggestion of Chairman James C. Robinson, consideration was heretofore given to the idea of holding hearing on proposed zoning changes conjointly with the regular Planning Commission Meeting. As a result of the said proposal, one such hearing was scheduled for April 6th, 1983, and the Order of authorization was prepared and presented by Scott Jay Thorley, County Attorney, for Commission approval.

ORDER

IT IS HEREBY ORDERED by the members of the Iron County Commission signed below that a special meeting of the Board of Iron County Commissioners shall be called pursuant to Section 17-5-7, Utah Code Annotated, 1953, as amended. Said meeting shall be called for April 6, 1983 at 7:30 p.m. in Room 204 in the Old Administration Building of the SUSC Campus, Cedar City, Utah.

The business to be conducted at said meeting shall be a consideration of application for zone change on Golden West Subdivision, Unit 2, commonly known as the Behning Subdivision.

IT IS FURTHER ORDERED that minutes of said meeting be taken by Linda Ayers, who shall be designated Iron County Clerk, pro tem, for the purpose of taking minutes of said meeting which shall thereafter be filed in the regular minutes of the meetings of the Iron County Board of Commissioners.

DATED this 24th day of March, 1983.

s/s James C. Robinson
JAMES C. ROBINSON

s/s Dee G. Cowan
DEE G. COWAN

s/s Louie P. Tong
LOUIE P. TONG

ATTEST:

s/s Clair Hulet
CLERK

There being no objections, the said Order was unanimously approved.

LAND EXCHANGE : The question of land exchange with Southern Utah State College was discussed briefly, and Commissioner Dee G. Cowan, and Commissioner Louie P. Tong, authorized to make them a proffer of the present jail property and the Corry property, both on East Lincoln Avenue, Cedar City, for the property now owned by the College in the Fiddlers Canyon area, on strictly a property for property basis.

UTAH FOUNDATION : A letter was considered from the Utah Foundation, in which they announce that they will no longer forward their reports without the payment of a \$10.00 subscription fee. The Board authorized payment of the fee in order that the County may continue to receive their reports.

BUSINESS LICENSES : An application for a Business License by Suzanne Marie Johnson, was considered and approved upon payment of the fee.

DETENTION CENTER : A proposal from the State Department in charge of youth Detention, that Iron County purchase certain equipment for the Iron County Detention Center which they had heretofore agreed to buy and install, and they in turn reimburse Iron County, was presented and discussed. Whereupon, authorization was given for advising the State Department that if they will advance the funds, the County will be pleased to proceed as suggested, otherwise - no.

SURPLUS PROPERTY : After discussion, and a decision reached to make application for eligibility to participate in the Federal Property Assistance Program, Commissioner Louie P. Tong, offered the following resolution and moved for its adoption. The motion was duly seconded by Commissioner Dee G. Cowan and the vote thereon was unanimous:

RESOLUTION

BE IT RESOLVED THAT James C. Robinson, Commission Chairman shall be and is hereby designated as the representative of Iron County, a Body Corporate and Politic of the State of Utah to secure the transfer to said Applicant of surplus Federal property through the Utah State Agency For Surplus Property, under the provisions of Section 203 (j) of the Federal Property & Administrative Services Act of 1949, as amended, to obligate said Applicant and its funds to the extent necessary to comply with the Terms and Conditions listed on the reverse side of this form.

BE IT FURTHER RESOLVED THAT a certified copy of this resolution shall be submitted to the Utah State Agency for Surplus Property and that the same shall remain in full force and effect until written notice to the contrary is submitted to the said Utah State Agency for Surplus Property.

LEASE
AGREEMENT _____ :

The application of Atlantic Richfield Company, P.O. Box 5540, Denver, Colorado 80217, for Oil and Gas Lease on the following described land, was brought on for consideration and approved. Chairman James C. Robinson, being authorized to execute the Lease Agreement for and on behalf of Iron County:

W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of section 27, Township 35S, Range 12 West, S 2 BLM, excluding Lots 72, 74, 78-80, and 82 Blk "B", and Lots 59, 67, 69, and 71 Blk "E" Aberdeen Townsite.

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

APPROVED: _____

James C. Robinson
CHAIRMAN

ATTEST: _____

Clair Hulek
CLERK

SPECIAL MARCH 30th, 1983 MEETING

Minutes of a special meeting of the Board of Iron County Commissioners, held in the Law Offices of Park, Braithwaite, and Eves, 110 North Main Street, Cedar City, Utah, March 30th, 1983, beginning at the hour of 3:00 P.M.

Officers present were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Other interested parties present were:

Robert L. Gardner, Esq., Assistant Attorney General
Michael W. Park, Esq., representing S.U.S.C.
Robert Braithwaite, Esq., for Cedar City

The express purpose of the meeting was to consummate a theretofore negotiated property exchange by and between Iron County and Southern Utah State College.

First, a report was made by Commissioner Dee G. Cowan covering briefly and in substance the background, and present status of a proposed jail construction program, land exchange developments, and its relationship to jail construction. Included as well, was a review of method used in arriving at values used on land parcels which are subject to the exchange, and the terms of the exchange to be presented at this time for ratification, and/or amendment, or rejection.

In substance the negotiated terms and conditions were as follows:

1. That Iron County exchange with Southern Utah State College the present County jail site, and the Corry Office Building property on Lincoln Avenue, Cedar City, plus additional land with an appraised value of \$51,900.00 for five acres of land in the Fiddlers Canyon Development.
2. That the deed exchange for the subject properties be accomplished as of this date, with the exception of the supplemental land pledged to cover the \$51,900.00 boot on the exchange.
3. That Iron County enter into a lease agreement with the College for use of the jail, and the Corry property, in accordance with the terms thereof, for a five year period, with option for three additional years extension.

After all had been heard who wished to be heard on the matter, a motion was made by Commissioner Dee G. Cowan, and duly seconded by Commissioner Louie P. Tong, proposing approval of the Lease back agreement on the jail and Corry Office Building property. The vote called for, Commissioner Dee G. Cowan and Commissioner Louie P. Tong voting for, Chairman James C. Robinson, abstaining.

Thereupon a motion was made by Commissioner Louie P. Tong providing that formal authorization be given for issuance of a Quit Claim Deed from Iron County to S.U.S.C. covering the existing jail and Corry Office Building properties, and that it be placed in custody of the County Attorney, Scott Jay Thorley, pending modification of the covenants and restrictions on the Deed from S.U.S.C. to Iron County. The vote was called for. Commissioner Louie P. Tong and Dee G. Cowan voting for, and Chairman James C. Robinson, abstaining.

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

APPROVED: James C. Robinson
CHAIRMAN

ATTEST: Olive Heule
CLERK

IRON COUNTY BOARD OF COMMISSIONERS

Minutes of Public Hearing

April 6, 1983

The public hearing of the Iron County Board of Commissioners was called to order by Chairman Jim Robinson at 7:30 p.m. in Room 204 of the Old Administration Building on the SUSC Campus for the purpose of considering a request for a zone change from A-20 to R-5 on the Golden West Subdivision, Unit II.

Members Attending

Jim Robinson, Chairman
Dee Cowan
Louie Tong

Others Attending

Linda G. Ayers, Deputy Clerk Pro Tem
Bill Athey
Peggie and George Hunt
Kerry Carpenter
Reginald J. Glaum
Gene Ramsey
U.A. Small
Emile Mulligan
Irma Mulligan
L.C. Williamson
Chad Nay, Iron County Building Inspector
Ralph & Donna Lister
Foyer Olsen, Planning Commission
Bryner Wood, Plannin Commission
Richard R. Harris, Planning Commission
Douglas B. Grimshaw, Planning Commission
Roy (Pug) Urie
Richard T. Stucki
Ann Maguire
Howard Nelson, Planning Commission
Marlene F. Riddle, Planning Commission
L. Ellis Gentry
Lorraine J. Gentry

Chairman Robinson asked Kerry Carpenter to explain the Behning viewpoint. Mr. Carpenter said he is not a representative of the Behnings, rather he is here as an engineer. He presented a preliminary plat of the Golden West Subdivision Unit II, and a brief history of the subdivision and why it is illegal. He noted the preliminary plat has been approved by the Planning Commission. He further explained the lot boundaries on the plat are different from the metes and bounds boundaries on the deeds. All of the northern lots are occupied. There is one structure on the south side. Two of the lots contain less than five (5) acres and are, therefore, non-conforming.

Chairman Robinson asked Doug Grimshaw, Chairman of the Planning Commission, to comment on the requested zone change. Mr. Grimshaw said the preliminary plat has been approved by the Planning Commission and there is no objection to the requested zone change.

Chairman Robinson asked for public input, requesting remarks be limited to in favor of or opposed to the zone change.

Mrs. Peggie Hunt spoke in favor of the zone change. She said none of the residents of the subdivision owned a marketable title to the property.

Mrs. Irma Mulligan asked what the R-5 zone meant. This was explained to her.

Mr. Gene Ramsey felt the people living in the subdivision should have a clear title to their property as they had purchased their lots in good faith. He was opposed to any additional property being changed to an R-5 zone, as his main reason for moving to the area was to get away from town.

Mr. U.A. Small said he was the first person to purchase property in the area. At that time there was a 20-acre minimum parcel size requirement and most parcels were 40 acres or more. The Behnings purchased a large agricultural parcel and have since subdivided it. He was in favor of rezoning this particular piece of property only for the benefit of the present residents.

There was no further public input.

Chairman Robinson said a decision could be made tonight or could be deferred until later.

Dee Cowan moved the zone change request from A-20 to R-5 be granted. The motion was seconded by Lou Tong, who amended the motion to also grant a variance for two non-conforming lots containing less than five (5) acres on a one-time basis only and emphasized no future variances for size would be considered. It was noted the two non-conforming lots are owned by Mr. and Mrs. Hunt and Mr. and Mrs. Mulligan. The amendment to the motion was seconded by Dee Cowan.

Chairman Robinson restated the motion. The voting was unanimous in favor of the motion as amended for the zone change request and the variance for the two non-conforming lots.

The public hearing was adjourned at 7:48 p.m.

APPROVED: _____
Jim Robinson, Chairman

ATTEST: _____
Linda Ayers, Secretary

REGULAR APRIL 14th, 1983, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, April 14th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Dee G. Cowan

Minutes approved as written.

INDIGENT

MEDICAL PLAN : As the first matter of business, considerable attention was given to the proposed contract with the State of Utah for Medical Insurance Coverage for indigent persons, and an alternate proposal by the Valley View Medical Center. Said alternate proposal, in substance, being a proffer by Valley View Medical Center to cover the cost of services to all indigent persons for which Iron County may be responsible for the product of an annual levy of two (2) mills to be applied against the assessed valuation of Iron County. After due deliberation, a motion was unanimously passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, accepting and approving the contract, as Amended, with the State of Utah.

LEGAL MATTERS : County Attorney, Scott Jay Thorley, presented a couple of Court matters for the Boards consideration.

1) With reference to the case of William Kent Reed, and the Commissioner's previous authorization for payment to James L. Shumate, Esq., of \$300.00, for legal services, Mr. Thorley requested and received approval for payment of an additional \$150.00 caused by the fact that Defendant Reed had escaped a second time from custody, requiring additional services from Mr. Shumate.

2) That one Iva Mae Martin had appealed a case from the Precinct Court to the District Court, and due to a conflict of interest, his department is not in position to prosecute. Accordingly, he requested authorization to obtain the services of a special prosecutor. The request was considered and denied.

BID
OPENING : Mr. Ralph B. Platt, Acting County

Engineer, appeared for consideration of Bids received in response to the County's invitation to bid on the following:

- 1 - To crush and stackpile approximately 7000 cubic yards of road base at the County Pit situated in Section 14, Township 35 South, Range, 17 West, SLB & M.
- 2 - To place approximately 7600 cubic yards of blended pit run gravel from the County Pit upon the road to provide a subbase for the crushed aggregate.
- 3 - To place approximately 5700 cubic yards of crushed aggregate upon the road to receive a prime coat of bituminous material.

All in connection with the County Road from State Routes 18 to the Escalante Silver Mine.

In summation, bidding went as follows:

Western Rock	\$77,605.00
R.A. Childs, Inc.	82,140.00
Hall Brothers, Inc.	49,450.00
Hurricane Sand & Gravel	78,090.00

It appearing to the Commissioners that the bid of Hall Brothers, Inc., was lowest and best, a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, accepting their bid subject to a review of all bids by the County Engineer.

LAND FILL : The Commissioners confirmed their ruling of a previous date providing that Platt Engineers monitor the County Land fill at six month intervals. Mr. Platt indicating that one is presently due.

REPORT
B.L.M. : Ervin Larsen and associate from BLM, met the Commissioners for a report session on the activities of their department. The report dealt with Land planning, Firewood, School lands, and recreation sites.

The road right of way applied for by the County at or near Modena, was withdrawn for the cause and reason that the County had not been successful in getting the purported artifact removed. The Commissioners agreeing that the file be closed.

Commissioner Louie P. Tong, was designated liaison between Iron County and the Bureau of Land Management.

KANARRAVILE MATTERS

: Mr. Kenneth Clark, President of the Kanarraville Town Board appeared with a number of problems which he wished to share with the Commissioners. Among them, but not necessarily limited to, were the following:

- 1 - He wished to know the County's plans for surfacing the road south from Kanarraville to I-15. Explaining that if the County intends to accomplish this in the immediate future, it would affect action he would take with respect to installation of certain water lines.
- 2 - Requested assistance from Iron County in graveling the road to their garbage pit.
- 3 - Discussed winter recreation, more especially with respect to snowmobiles. Citing collection of registration fees with no return in the way of provisions for use.

All items were reviewed by the Commissioners with Mr. Clark, but were not in position to take formal action with respect to any of them.

COUNTY FAIR

: Mr. Scott Haycock, President of the County Fair Board, met the Commissioners regarding a number of items relative to County Fair activities.

First, he recommended that the County establish an official flag and/or banner. This idea finding favor with the Commission, the Fair Board was authorized to call for suggestions, and make a selection.

Secondly, he reported that a problem still existed with respect to procedure for conducting the Miss Iron County Pageant, but that he would attempt to work it out. Reporting also on the contribution made by the Fair Board to the Race Track Committee.

MONTE VISTA

: Mr. Donald W. Bottles, representing the Citizens of the Monte Vista Subdivision, appeared for purpose of expressing their concern over the possibility of their being flooded by overflow from Coal Creek this Spring. Indicating that if all debris could be cleared from the ditches it would be of some help. While the Board shared their concern they were not at this time in a position to take any action on the matter.

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REDEVELOPMENT _____ : A delegation comprised of the following named citizens of the County, with Earl Hansen, as spokesman, appeared seeking authorization from the Commissioners, for the County Attorney to assist them in the preparation of a petition designed to require a referendum on the question of re-development for Cedar City:

Florence Wolfram	Howard M. Adams
Clark Draper	Ivan Johnson
Eunice Hepler	Marvin Morris
Donald W. Bottles	R.L. Durrant
Donald B. Haycock	Steve Grimshaw

Mr. Hansen explained that the group felt that Cedar City had made an error in not permitting the Citizens to make the decision as to whether or not Cedar City should have entered into the area of re-development, and that the group he represents wish to, through proper means, still persuade the Cedar City Administration to afford the Citizens such an opportunity.

Following a brief discussion, the request was denied on the grounds of precedent setting. A motion was made by Commissioner Dee G. Cowan, that the County Attorney be permitted to prepare the petition, but that it be limited to that function. The motion failed for lack of a second.

E.M.T. PROGRAM _____ : Mr. Bob Tuckett, and Norman Forbush appeared for purpose of presenting a number of items related to the E.M.T. Program.

First was a proposed new agreement by and between Iron County and the E.M.T.'s relative to tuition paid, and requirements to be met in Order for the individual taking the training to obtain a refund. Upon review, a motion was passed, which was made by Commissioner Louie P. Tong and duly seconded by Commissioner Dee G. Cowan, accepting and approving the proposal. Also presented was a proposal for an agreement through which Iron County would indemnify Valley View Medical Center from any problem arising from activity on the part of the E.M.T.'s. Even though it was generally understood that the E.M.T.'s were covered by County Insurance, the matter was referred to the County Attorney for investigation and a report.

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Mr. Tuckett and Mr. Forbush also requested and received authorization to purchase pediatric mask trousers, additional equipment necessary to qualify for State License.

PARAGONAH

FIRE DEPARTMENT

: Mr. Royce Barton, Fire Chief for

Paragonah Town, appeared seeking further assistance from Iron County for purchase of additional Fire Suppression Equipment. Mainly a small truck and equipment. Mr. Barton called to mind the fact that the Commissioners had agreed to participate in such a venture to the extent of \$3,000.00, but that his bid for an amount which would have made the appropriation sufficient, fell short, and in order to obtain the same truck he would need an additional \$1,200.00 for a total of \$4,200.00 from Iron County. Following a rather persuasive presentation, the Board approved an appropriation of \$4,200.00 to go toward purchase of the equipment. No indication was made as to what budgeted funds were available to cover, however.

ALCOHOL

SCHOOL

: Mr. Kenneth M. Joseph, representing the

University of Utah School on alcoholism, appeared seeking a pledge from Iron County to sponsor two students to the School scheduled during the month of June. Explaining that for every one person sponsored by Iron County the University would sponsor one. Following a brief discussion, the Commissioners agreed to sponsor one, and to join with Parowan City in sponsoring another.

ASSESSORS

MATTER

: Mr. Steve Grimshaw, County Assessor,

again appeared relative to cooling mechanism for computer equipment. He was authorized to proceed at a contemplated cost of \$2,000.00.

Also at his request, he was authorized to investigate the advisability of purchasing for use by the Building Inspector of a Subaru Brat at a proffered cost of \$3,250.00.

COLOR COUNTRY

DIESEL

: A proffer from Color Country Diesel to purchase from Iron County a certain

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wrecker owned by the County Road Department, was discussed and referred to Commissioner Dee G. Cowan for negotiation.

HOLIDAY : The question of how County personnel should observe a Holiday replacing Arbor Day, and known as Personal Preference Day, came on for consideration. After review, it was concluded that one day should be designated for all employees, and the day so designated to be April 25th, 1983.

PARK WEST SUBDIVISION : A delegation of Citizens residing on 2300 West, Cedar City, and headed by Audrey Lebbon, appeared for furtherance of their efforts to obtain improvement of the said road and/or street.

Mrs. Lebbon reported first on their effort to obtain the necessary right of way to provide the standard width, indicating that consent from all parties concerned had been obtained, with the exception of Forest Q. Bauers and Alice Casados. Mrs. Lebbon agreed to spearhead the effort to obtain the consent of the two remaining parties, and County Attorney Scott Jay Thorley, by and with the assistance of the County Engineer, to prepare the necessary deeds. Consideration to be given to the work of Road improvement upon obtaining additional land for the right of way.

PENDING COURT ACTION : County Attorney, Scott Jay Thorley, discussed briefly with the Commissioners matters related to the pending Law Suit with Cornelius Brothers, through which he received authorization to proceed with the taking of depositions, etc. He was also instructed to determine as to whether or not County Insurance provided any coverage for such matters.

LEASE AGREEMENT : The matter of renewal of the Lease Agreement with the Union Pacific Railroad Company of a road right of way for the Hamblin Valley road northwest from Modena, was called on for consideration. After review, a motion was duly passed, which was made by Commissioner Louie P. Tong and seconded by

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Commissioner Dee G. Cowan, providing that the lease be renewed on a proposed twenty five year basis.

RETIREMENT PROGRAM : Some consideration and study was given to the manner in which Iron County should adjust to new regulations pertaining to the State Retirement Program. No formal action was taken, however.

COUNTY JAIL : Bob Boyle of Edwards and Daniels Architectural Firm, met the Commissioners for purpose of reporting to them on the most recent changes made in the schematic design of the proposed new County Jail, indicating that they are nearing the final stages of phase one in design concept. He brought a number of charts and/or drawings, which he used for illustrative purposes.

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

ATTEST:

Clair Lulek
CLERK

APPROVED:

James E. Robinson
CHAIRMAN



REGULAR APRIL 28th, 1983 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, April 28th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: James C. Robinson

Minutes approved as amended.

BEHNING
SUBDIVISION

: As the first matter of business, a discussion was conducted by County Attorney, Scott Jay Thorley, relative to the continued illegal status of the Behning Subdivision, Golden West Number 2. The current delay in bringing the subdivision to a status qualifying it for approval, appears to be a disagreement among, at least some of the lot owners, as to where the dividing line should be located. Whether it be consistent with the line provided by the deeds of transfer, or whether it be a line, preferred by most, established by acquiescence along a water line, which bisects the property.

After a brief discussion, it was concluded that Iron County, perse, would take no action at this time, but that it would perhaps be appropriate for the County Attorney to advise the parties that if the conflict is not soon resolved, the conditional use permits may be revoked, and of such further consequences that may result as would seem to him to be proper.

With respect to the request by the Engineers, Coon, King, etal., for release of funds to pay them for services, the Commissioners requested that they submit an itemized statement in support of their claim.

ROAD
AGREEMENT

: Engineer Ralph B. Platt and a representative from the firm of Hall Brothers Construction, met the Board relative to the Hall Brothers bid of April 14th, 1983, for crushing and stockpiling some 7000 cubic yards of road base at the County Pit, Section 15, Township 35 South, Range 17 West, SLB&M, placing approximately 7600 cubic yards of blended pit run gravel from the pit upon the road running from State Route 18 to the Silver Mines, and placement of approximately 5700 cubic yards of crushed aggregate upon the Road in preparation for its receiving a prime coat of bituminous material. Bid price being \$49,450.00. Mr. Hall explained that they (the Hall Brothers) had erred in making their bid calculation. That the specified service could not be accomplished for that sum. However, he stated that they would honor the bid if and provided that Iron County would permit his firm to do another phase of the project, presently assigned to the County Road Department, for an additional sum of \$18,110.00. After considerable discussion, an on-site inspection by Mr. Platt, Mr. Hall, and County Road Supervisor, Lynn Fiack, and a subsequent report on their findings by Engineer Platt, the following two motions were passed with respect thereto:

- (1) Moved by Commissioner Dee G. Cowan, that the Bid of Hall Brothers Construction in the total sum of \$49,450.00 covering schedule one, two, and three, be accepted and the award made to them. The motion was seconded by Commissioner Louie P. Tong, and passed unanimously.
- (2) Due to the fact that County Road Forces were urgently needed elsewhere on Road Maintenance, and that the work could be classified as a separate project, Commissioner Cowan moved for acceptance of the supplemental proffer of Hall Brothers to complete the phase of the project presently assigned to the County Road Department, for the additional sum of \$18,110.00. The motion was seconded by Chairman James C. Robinson and passed on a two to one basis, Commissioner Louie P. Tong, abstaining.

Engineer Ralph B. Platt being authorized to see to the preparation of an appropriate contract or agreement, and obtaining of the Performance Bond.

PAROWAN
RACE TRACK

: Mr. Larry Pendleton, Chairman of the Parowan Race Track Committee, met the Board for the purpose of requesting an appropriation of some \$4,000.00 from Iron County to assist in the building of ten additional horse stalls at the Race Track, and improving the water system. He was advised to work with the County Fair Board, and such funds, if any, as were found to be available through the County Fair Budget, that could be expanded for this purpose, would be made available.

Mr. Pendleton was advised to make his request for 1984, in written form, and before the budget for the said year is prepared.

BID
OPENING

: Mr. Lynn Fiack, County Road Supervisor appeared for opening of Bids received in response to the County's invitation to Dealers to bid on the furnishing of a Truck to be used in his Department.

Since only one bid was received, it was concluded to issue call for new bids.

SUMMIT
TOWN

: Mr. Alma Lawrence, citizen of Summit Town and Chairman of their Special Service District Board, appeared requesting consideration of a number of items.

- 1 - He reported that a small spring located East from Summit and rising upon state land had been applied for by Summit to be added to their culinary system. Explaining that one of the requirements made of them, is to obtain a statement from the Board of Commissioners asserting no opposition, and the further fact that approval of their application will not conflict with present zoning and planning regulations. A motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, registering no objection, and supporting approval of the application subject to no objection from the Planning Commission. Chairman James C. Robinson to present the matter to them for their reaction.
- 2 - Mr. Lawrence called attention of the Board to the street condition in Summit. He was assured that the County Department would program repair as soon as reasonably possible.

- 3 - He requested assistance from the County in clearing up, and fencing their garbage pit. If possible, the use of County equipment in preparing a new pit. He was first advised that the Summit Pit was illegal. Nevertheless, if he can obtain clearance from the State Health Department for the Pits existence, Iron County will assist in whatever way they can in making it operable.

GREEN THUMB : A delagation comprised of Yvonne Wheadon, State Director, Mont

Robbins, and Lydia Harter, local representatives of the "Green Thumb" Organization, met the Commissioners regarding the Organizational status of the Iron County Aging Council, and the Senior Citizen Group.

In substance, it became a hearing on measures necessary to be taken if Iron County wishes to extract itself from possible liability in the event of Federal Funds being improperly obtained by groups not properly organized and without a tax clearance status as provided for under Section 501C3, Internal Revenue Code. Wherefore, it was concluded that the Iron County Aging Council, if not already incorporated as a non-profit organization, it should be, and that it obtain a 501C3 status. Commissioner Louie P. Tong, agreed to investigate the matter, including the possibility of the County Organization being included under the F.A.O.G. umbrella.

REST HOME SERVICE CONTRACT : Mr. Clarence J. Benson, operator of the Iron County Rest Home, and Mr. Vern Hackwell, representing Honeywell, Inc., again appeared regarding arrangement with Honeywell for Major Heating and Air Conditioning Equipment Service at the Home.

After review, since Iron County is simply the Landlord, subject only to the terms and conditions of the lease agreement, it was concluded that the Service Agreement should be by and between Clarence J. Benson, as operator of the Iron County Rest Home, and Honeywell. Iron County, by the nature of its relationship to the matter, not being a party.

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SHERIFFS DEPARTMENT : The announcement from the Sheriffs Department that William Bradford has now been elevated to Head Jailer, thus creating a change in job classification, authorization was given for appropriate salary increase. Same to conform to provisions of the step program.

TRAVEL AUTHORIZED : County Attorney, Scott Jay Thorley, requested and received authorization to attend a seminar in Salt Lake City, May 5th and 6th, 1983.

INDEMNIFICATION AGREEMENT : Scott Jay Thorley, County Attorney, presented and recommended execution of an agreement in its present form indemnifying I.H.C. from claims or judgments arising from acts of negligence or omission by E.M.T. personnel operating out of Valley View Medical Center, Cedar City. In accordance with said recommendation, the agreement was approved as to form and content, and Chairman James C. Robinson authorized to execute the same for and on behalf of Iron County.

DEED OF EXCHANGE : County Attorney, Scott Jay Thorley, also reminded the Board that he was still holding the Deed from Iron County to S.U.S.C. covering the County Jail Property in accordance with their previous instructions to him not to deliver it until restrictions and covenants on the Deed from S.U.S.C. covering Fiddlers Canyon Property have been modified to their (the Commissioners) satisfaction.

On motion duly passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, Attorney Thorley was instructed to hold the Deed until advised by the Board that satisfactory modifications of the restrictions has been accomplished. Commissioners Cowan and Tong to attempt to negotiate the matter.

INTER-COUNTY
INTER-COMMUNITY
AGREEMENTS

: County Attorney, Scott Jay Thorley,
also discussed the proposed Inter-County and Inter-Community mutual assistance agreements. He was advised to hold as to the Inter-County Agreement pending outcome of consideration being given to the subject by the Five County Association of Governments. He was given the green light, however, so far as the local unit of governments are concerned.

RETIREMENT
PROGRAM

: Chairman Robinson presented a proposal for satisfying requirements of the new law related to state retirement fund contribution. In substance and in its most simple terms, his proposal provided that all employees and officers included in the program contribute 2.75 percent of salary, and the County make up the balance. Accordingly, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan and seconded by Commissioner Louie P. Tong, approving the proposal as to concept.

ROAD
MATTER

: Mr. Ken Middleton, and Mr. Weldon Biddick, residents of the Hamilton Fort area, appeared to protest the conditions of the Frontage Road running from the South Cedar City Interchange to Hamilton Fort and adjacent areas. The Commissioners acknowledged the fact that the Road was in disrepair, and agreed to put the County Road repair crew on it as soon as consistent with priority listing.

Mr. Middleton also complained of the Bull Thistle infestation in the area, stating that he had sought assistance for some time from the County Weed Department without success. Chairman Robinson to check with the Weed Board and Department Personnel relative to the matter.

MAPS AND
PLATS

: Mr. Robert Dalley, Deputy County Recorder, assigned to revision of the County Ownership Plats, appeared for the purpose of inviting the Commissioners to come to his Department and review with him the type and scope of work to which he is assigned that they might be in a better position to properly appraise his salary rating.

He also advised them of his position as a member of the National Guard and argued the point that, even though perhaps Iron County now has no legal obligation to pay his salary while he is at camp, he felt that it was equitable that they do so. This they took under advisement.

He stated that he planned to take a test, the passage of which would qualify him for certification as a mapper, and that in this event the Commissioners agreed to take a look at the possibility of change in job classification.

REQUEST FOR
EQUIPMENT

: A letter was received from Margaret Miller, Cedar Precinct Justice, requesting that she be authorized to purchase a new typewriter for her Department at a cash outlay of some \$700.00 plus trade in. The request was considered and approved subject to her making every effort to effect sufficient savings in other areas of her budget to cover the cost. Commissioner Cowan to advise.

REQUEST FOR
PAYMENT

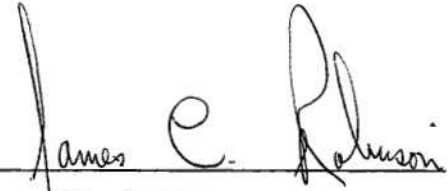
: By letter, the Utah Water Users Association requested payment to them of \$1,000.00 as Iron County's membership fee for 1983. The request was rejected on grounds that no provision was made in the 1983 budget to cover.

PROPERTY SALE

: The Commissioners directed that certain properties now owned by Iron County be advertised for sale on a sealed bid basis, to be considered, accepted or rejected at the second meeting during the month of May 1983.


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

Approved:



Chairman

ATTEST:



CLERK

REGULAR MAY 12th, 1983 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:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Scott Jay Thorley

Minutes approved as read.

EQUIPMENT

SHELTER : Mr. John S. Rowley, Architect from Cedar City, and Mr. Bryner Wood from Escalante Valley, were, as the first matter of business, given audience to present completed plans and specifications for the proposed Escalante Equipment Shelter, coupled with bid proposal. After review, a motion was duly passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, approving the plans and authorizing call for bids.

County Road Supervisor, Lynn Fiack, being directed to begin preparation of the site while he has necessary equipment in the area.

N.A.C.O. REQUEST
FOR FUNDS

: A letter was received from the National Association of Counties which proposed the creation of what they termed a "Trust Fund" to be used in support of and in defense of the counties interest on a national level, and suggesting a contribution from Iron County of \$150.00.

The request was considered and approved.

ROAD
MATTER

: Mr. Lynn Fiack, County Road Supervisor, met the Commissioners for purpose of obtaining authorization to open up a gravel pit on County owned land in the vicinity of what is locally known as the "second mound" some three and one half miles west of Parowan on Old Highway 91. Explaining that the Developers of the 3200 Subdivision on Summit Mountain had proffered to place gravel on areas of the Summit Mountain

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Road if gravel could be made available to them. Following a brief discussion, Supervisor Fiack was authorized to open a pit on the subject County property, if and provided arrangements cannot be made to take gravel from the pit on B.L.M. property in the same vicinity, or another pit located in the Summit Canyon area much closer to the section of road proposed to be treated.

TRAVEL
AUTHORIZED

: Upon request, Commissioner Dee G. Cowan, and Road Supervisor, Lynn Fiack, were authorized to attend the State Road School, scheduled for the 25th to the 27th of May 1983, at Ogden, Utah.

SOCIAL
SERVICES

: Mr. Richard Garrett, and Neal Smith, representative from the Department of Family Services, appeared for consultation with the Commissioners on a number of items of mutual interest, principally Alcohol and Drug Abuse.

Neal Smith first reported on the activities under his jurisdiction, including but not necessarily limited to:

D.U.I. Schools.
Drug and Alcohol Program.
Seeking input from the Commissioners on the kind of Program the County would like to have.

Explaining that these are ongoing programs, and that funding comes down through the Five County Association of Governments, and the Human Service Council.

Mr. Garrett presented a number of recommendations, including that of obtaining the services of two prevention specialists, and the establishment of a County Board with a broad base representation.

Following general review, it was concluded that Mr. Garrett would present his recommendation in written form for the Boards consideration, and, as well a report on the structure of the Social Services Department and a resume of its programs.

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TAX
MATTERS

_____ : Mr. Steven Grimshaw, County Assessor,
appeared for presentation of a number of
items on which he desired Counsel from the Commissioners.

- 1) Due to double payment of taxes for the year of 1982 on a Mobile Home, he requested and received authorization to refund to Mr. Norman Stapley the sum of \$286.59.
- 2) Report on progress with Air Conditioning for Computer, which had previously been authorized.
- 3) Discussion of Tax Commission Order for factoring of assessments for the year 1983: 28% for commercial properties; 49% all others.

After review, a motion was duly passed which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, providing that County Assessor, Steve Grimshaw, leave assessments status quo, pending completion of a study to be undertaken by the Assessor to determine the accuracy or lack of accuracy of the basis used by the tax commission in arriving at the recommended formula. The Commissioners sharing the doubts the Assessor had expressed relative to the matter.

COUNTY
AUDITOR

_____ : Dennis Lowder, County Auditor, appeared
before the Board relative to assistance
needed from them in establishing the tax levy for 1983. In as
much as the budget is basic, a plan was agreed upon to ascertain
necessary amendments, if any, to the budget by and through response
anticipated to be received from Department Heads. A letter to
be drafted by Chairman Robinson, and Auditor Lowder and submitted
to them.

FIRE SERVICE
AGREEMENT

_____ : County Attorney, Scott Jay Thorley, presented
Inter-Community Mutual Fire Assistance
Agreements for the Boards Consideration, approval or rejection.
He stated that while there existed areas that were not totally
to his satisfaction, he nevertheless recommended approval.

After discussion and review, a motion was duly passed,
which was made by Commissioner Louie P. Tong, and seconded by
Commissioner Dee G. Cowan, approving the agreements as to form
and content. To be on the agenda at the next regular meeting
for execution.

WRECKER
AGREEMENT

: Commissioner, Dee G. Cowan, made
a report to the Board on status
of the negotiated agreement with Color Country Diesel for
purchase of a Wrecker from Iron County Roads. The terms,
as reported were, in substance, as follows:

- 1 - Payment of \$250.00 down. (Commissioners having
had in hand check to cover.)
- 2 - Period of agreement to run for ten years.
- 3 - Purchaser to render wrecker service to Iron County
equal to \$250.00 per year over this period of time.
If no service in any year, he to pay to Iron County
\$250.00 cash, or if service rendered does not equal
\$250.00, he to pay Iron County cash to cover balance
or difference.

JAIL

U.H. PATROL

: A considerable discussion was had with
respect to the options open for
funding contemplated addition or inclusion of quarters for
the Utah Highway Patrol Department in the new county jail
building. Among those considered were:

- 1 - Through the issuance of Revenue Bond to be redeemed
through rentals received from the U.H.P. Whether
or not these bonds could be issued without approval
of the Electorate drew a resounding maybe from the
County Attorney.
- 2 - Going directly to the voters with a Bond issue.
- 3 - Lobby the state through whatever channels are
open and advisable for a cash payment arrangement.

No formal conclusions were drawn, however.

BUSINESS
LICENSE

: With reference to provisions of Utah
Code Annotated 11-9-5, the Commissioners
took the following action:

Executed a letter of interest to adopt the seven-eighths
percent local option sales tax, and consistent therewith,
Commissioner Louie P. Tong, proffered the following ordinance
and moved that it be approved, adopted, and ordered published:

AN ORDINANCE IMPOSING A SEVEN-EIGHTHS PERCENT LOCAL SALES AND
USE TAX, PROVIDING FOR THE PERFORMANCE BY THE STATE TAX
COMMISSION OF ALL FUNCTIONS INCIDENT TO THE ADMINISTRATION,
OPERATION AND COLLECTION OF A SALES AND USE TAX HEREBY
IMPOSED, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Be it ordained by the Iron County Commission:

Section 1. TITLE. This ordinance shall be known as the "Uniform Local Sales and Use Tax Ordinance" of Iron County.

Section 2. PURPOSE. The 45th session of the Utah Legislature authorized municipalities of the State of Utah to enact Sales and Use Tax Ordinances imposing a seven-eighths of one percent tax.

It is the purpose of this ordinance to levy and impose a seven-eighths percent local option sales and use tax, to authorize and designate the Utah State Tax Commission as agent for the county to collect the tax and to conform with the requirements of the Uniform Local Sales and Use Tax law of Utah, Chapter 9, Title 11, Utah Code Annotated, 1953.

Section 3. EFFECTIVE DATE. This ordinance shall become effective as of 12:01 o'clock a.m., July 1, 1983. The provisions of the previously enacted Uniform Local Sales and Use Tax ordinance of the county which is repealed hereby and which are in conflict herewith shall continue effective until 12:00 o'clock midnight, June 30, 1983. The provisions of this ordinance which are not in conflict with said former ordinance shall be deemed to be a continuation thereof and any rights, duties and obligations arising thereunder shall not in any way be deemed abrogated or terminated.

Section 4. SALES TAX.

A. (1) From and after the effective date of this ordinance, there is levied and there shall be collected and paid a tax on every retail sale of tangible personal property, services and meals made within the county at the rate of seven-eighths percent.

(2) For the purpose of this ordinance, all retail sales shall be presumed to have been consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. If a retailer has no permanent place of business in the state, or has more than one place of business, the place or places at which the retail sales are consummated shall be as determined under the rules and regulations prescribed and adopted by the State Tax Commission. Public utilities as defined by Title 54, Utah Code Annotated, 1953, shall not be obligated to determine the place or places within any county or municipality where public utilities services are rendered, but the place of sale or the sales tax revenues arising from such service allocable to the county shall be as determined by the State Tax Commission pursuant to an appropriate formula and other rules and regulations to be prescribed and adopted by it.

(3) If an annual license has been issued to a retailer under section 59-15-3, Utah Code Annotated, 1953, an additional license shall not be required by reason of this section.

(4) There shall be excluded from the purchase price paid or charged by which the tax is measured:

(a) The amount of any sales or use tax imposed by the State of Utah on a retailer or consumer;

(b) Receipts from the sale of tangible personal property on which a sales or use tax has become due by reason of the same transaction to any other municipality and any county in the State of Utah, under a Sales or Use Tax Ordinance enacted by that county or municipality in accordance with the Uniform Local Sales and Use Tax law of Utah.

Section 5. USE TAX.

A. An excise tax is hereby imposed on the storage, use, or other consumption in this county of tangible personal property from any retailer on or after the operative date of this ordinance for storage, use or other consumption in the county at the rate of seven-eighths percent of the sales price of the property.

B. (1) Except as hereinafter provided, and except insofar as they are inconsistent with the provisions of the Uniform Local Sales and Use Tax law of Utah, all of the provisions of Chapter 16, Title 59, Utah Code Annotated, 1953, as amended and in force and effect on the effective date of this ordinance, applicable to use taxes, excepting the provisions of sections 59-16-1 and 59-16-25 thereof, and excepting for the amount of the tax levied therein, are hereby adopted and made a part of this section as though fully set forth herein.

(2) Wherever and to the extent that in Chapter 16 of Title 59, Utah Code Annotated, 1953, the State of Utah is named or referred to as the taxing agency, the name of Iron County shall be substituted therefor. Nothing in this subparagraph B shall be deemed to require the substitution of the name of this county for the word "State" when that word is used as part of the title of the State Tax Commission, or of the Constitution of Utah, nor shall the name of the county be substituted for that of the State in any section when the results of that substitution would require action to be taken by or against the county or any agency thereof, rather than by or against the State Tax Commission in performing the functions incident to the administration or operation of this ordinance.

(3) There shall be exempt from the tax due under this section:

(a) The amount of any sales or use tax imposed by the State of Utah upon a retailer or consumer;

(b) The storage, use or other consumption of tangible personal property, the gross receipts from the sales of or the cost of which has been subject to sales or use tax under a sales or use tax ordinance enacted in accordance with the Uniform Local Sales and Use Tax law of Utah by any other municipality and any county of the State.

Section 6. The county commission is authorized to execute whatever documents are necessary to distribute sales and use tax revenues on the combination of point of sale and population factors set forth in section 11-9-5, Utah Code Annotated, 1953.

Section 7. CONTRACT WITH STATE TAX COMMISSION. Heretofore, this county has entered into an agreement with the State Tax Commission to perform all functions incident to the administration or operation of the Sales and Use Tax Ordinance of the county. That contract is hereby confirmed and the county commission is hereby authorized to enter into such supplementary agreement with the State Tax Commission as may be necessary to the continued administration and operation of the Local Sales and Use Tax Ordinance of the county as reenacted by this ordinance.

Section 8. PENALTIES. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine in an amount less than \$299.00 or imprisonment for a period of not more than six months, or by both such fine and imprisonment.

Section 9. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, including but not limited to any exemption is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

It is the intention of the Iron County Commission that each separate provision of this ordinance shall be deemed independent of all other provisions herein.

Passed and ordered published by the Iron County Commission this 12th day of May 1983.

s/s James C. Robinson
CHAIRMAN, COUNTY COMMISSION

ATTEST:

s/s Clair Hulet
COUNTY CLERK

DATE OF FIRST PUBLICATION OR POSTING: May 19, 1983

The motion for approval, adoption, and publication, was duly seconded by Commissioner Dee G. Cowan, the vote called for which was as follows:

Chairman, James C. Robinson, Aye
Commissioner, Dee G. Cowan, Aye
Commissioner, Louie P. Tong, Aye
There were no naves.

TAX MATTER : A letter was received from Zella B. Matheson, for and on behalf of the Cedar City Daughters of the Utah Pioneers, protesting taxes levied against them on property listed under Serial Number B-1-9-27-5, on grounds that they are a tax exempt entity.

After review of the case with County Assessor, Steven Grimshaw, the request was denied on grounds that they do not qualify for property tax exemption.

COMMUNITY CENTER BERYL : A report was received from Mrs. Doris Pedersen of Beryl, that the roof on the Community Center Building leaks following repair after wind damage. Matter discussed, and Commissioner Cowan assigned to check with insurance carrier to make a determination as to what further assistance Iron County may expect from them before taking formal action.

BEHNING
SUBDIVISION _____ : Scott Jay Thorley, County Attorney,
again presented a request from the
Engineers most recently associated with the Behning Subdivi-
sion, for approval of their claim for service.


Following review, a motion was unanimously passed,
which was made by Commissioner Louie P. Tong and seconded
by Commissioner Dee G. Cowan, denying the request at this
time.

RADIO
MICROWAVE _____ : The matter of an agreement with the
State of Utah on a radio-microwave
station, was studied by the Board, but in as much as its
provisions were not fully understood by any of the Commissioners,
it was referred to Commissioner Louie P. Tong for the
obtaining of additional information, before acting on the
matter.

AGING
COUNCIL _____ : Matters related to the status of the
County Aging Council, was also referred
to Commissioner TONG for obtaining of additional information
before taking formal action. To be back on the agenda for
next meeting of the Board.

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

APPROVED:


CHAIRMAN

ATTEST:


CLERK

REGULAR MAY 26th, 1983, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, May 26th, 1983 beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Minutes read and approved.

ENOCH TOWN
SERVICE

: As the first matter of business, Mr. Roger Hillyard, Mayor of Enoch City, was afforded an opportunity to present and explain in considerable detail the elements of a proposed agreement, extension and/or renewal of an agreement providing for financial assistance from Iron County in funding of Municipal Services for Enoch City. In substance the basic terms of the proposed agreement were:

- 1 - That Iron County appropriate to Enoch City the sum of \$11,500.00 as contribution to their Fire Protection costs for fiscal year 1983-84. Thereafter, Enoch City to assume full responsibility.
- 2 - That Iron County remit to Enoch City each year from sales taxes received by Iron County, an amount equivalent to the difference between that received by Enoch City, and that they would have received had their population, as used for sales tax distribution purposes included population of the areas recently annexed by the City. Estimated to be about \$11,000.00 annually.
- 3 - That Iron County cover at least one half the salary and fringe benefits of a Deputy Sheriff to be assigned to the area, in the capacity of a Police Officer. Said Officer to allot at least four hours per shift to the geographical area of Enoch City. The terms of the agreement to extend through fiscal year 1985-86.
- 4 - That all roads and/or streets in Enoch City be maintained by Iron County, including but not limited to snow removal, repairs, and general maintenance at the same quantity and quality as applied to other County Roads. This provision to also run through fiscal 1985-86, at the end of which period Iron County to surrender said roads and/or streets to Enoch City in an excellent state of repair and condition.

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After extended discussion and review, the matter was tabled to afford County Attorney, Scott Jay Thorley, sufficient time to study and make his recommendations with respect to the legal status of the proposal, and to permit the Commissioners to obtain certain pertinent information. Further consideration continued to the second June meeting 1983.

B.L.M. ROAD MATTER : Mr. Sheridan Hansen, representing the Bureau of Land Management, appeared relative to a proposed Road Right-of-Way intended to serve Cedar Highlands subdivision.

Explaining that Bulloch Brothers Engineers, developers of the Subdivision, had made application for the Right-of-Way, and that B.L.M. had reservations about making the award to private interests, preferring to make the award to Iron County, and the County in turn working out an agreement with Bulloch Brothers for Construction and Maintenance of the Road to be placed thereon.

The matter was discussed briefly, but no formal action taken.

TAX MATTER : Mr. William D. Edwards, made an appearance for purpose of seeking relief from payment of tax on a trailer attached to property on which he held a contract to purchase, and which trailer he claimed to have never existed. After Steve Grimshaw had explained the circumstances surrounding the case, a motion was duly passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, denying the request for adjustment and refunds, since circumstances surrounding the matter would not, in their judgment, support affirmative action.

Scott Jay Thorley, County Attorney, presented a number of items for the Boards Consideration:

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COLOR COUNTRY
DIESEL : A contract which he had prepared
for execution by Iron County and
Color Country Diesel relative to the sale and/or lease of a
wrecker, heretofore considered. After review, the Commissioners
found the agreement, as drawn, to properly cover terms agreed
upon with Color Country Diesel, and accordingly approved it
subject to acceptance by the other party as heretofore identified.

INDEMNITY
CONTRACT : Mr. Thorley advised the Board that
the Indemnity Contract by and between
Iron County and Valley View Medical Center, heretofore approved
and executed by the Commission, did not fully conform to the
wishes of I.H.C. Attorneys, had therefore been amended, and he
was herewith presenting the contract in its amended form for
reconsideration. After examination by the Board, which found
no objection to the changes, a motion of approval was made by
Commissioner Dee G. Cowan, and seconded by Chairman James C.
Robinson. Commissioner Louie P. Tong being absent at this time
and not voting.

BEHNING SUBIDVISION : Mr. Thorley also reported on the
status of the Behning Subdivision
matter. No action was required or was taken.

FIRE WORKS
LICENSE : A proposal that Iron County adopt
a Fire-works ordinance requiring
a license to sell Fire-works within Iron County outside the
Corporate limit of cities and towns, and fixing the fee at
some \$300.00. It was discussed briefly and tabled for further
consideration, June 9th, 1983.

LAND
OWNERSHIP : Scott Jay Thorley, County Attorney,
reported on an investigation he had
conducted on the ownership of certain lands in Iron County, more
particularly described as S $\frac{1}{2}$ NW $\frac{1}{4}$ - N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15, Township 31
South, Range 7 West, SLB&M. He stated that while a number of
homestead entries had been filed on the tract none had matured
to point patent could be entered. Accordingly it falls in the
category of B.L.M. Lands and must be stricken from County ownership.

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APPOINTMENT : On motion of Commissioner Dee G. Cowan, duly seconded by Commissioner Louie P. Tong, Mary Stanfield was appointed as Registration Agent for Voting District 16, Cedar City, as replacement for Mrs. Dean Chamberlain, who had resigned.

COUNTY JAIL : Bob Boyle, of the Firm of Edwards and Daniels Architects, spent a two hour period with the Commissioners reviewing plans for the proposed new County Jail. The only action taken by the Commissioners with respect to the matter at this time was to authorize the Architects to prepare cost estimates.

LAND PROFFER : Brief consideration was given to a proffer from Utah International to sell to Iron County some 455 acres of land in the Desert Mound area on which is located a pit or pits suitable for use in connection with the County garbage disposal program. Commissioner Louie P. Tong was assigned to arrange for an on-site inspection of the subject property.

TAX MATTER : Further communication was received from Zella B. Matheson of Cedar City in support of her contention that the Cedar City Chapter of the Daughters of Utah Pioneers is eligible and qualified for exemption from property tax assessments. A claim that was disallowed by the Commissioners at its previous meeting. The materials were submitted to County Attorney, Scott Jay Thorley, for study and report.

POWER RESOLUTION : Through Commissioner, Dee G. Cowan, a resolution concerning the acquisition of Low cost Federal Hydroelectric Power, was presented for consideration. After brief review, action on the matter was continued to June 9th, 1983, to afford time for the Board to become more familiar with its implications.

JURY CHAIRS : Brief consideration was given to a proposal to purchase chairs for the Jury Box in the Courtroom. Approval was given for the purchase, if and provided the type of chair being considered is found suitable for the spacing provided, and is otherwise suitable for the purpose intended.

BUSINESS LICENSES : Application for business licenses by Ty Nagle, Trustin Hart, and Wheeler Machinery Company, were approved.

LAND SALE : The question of proffering certain land owned by Iron County for sale on a sealed bid basis, was advanced for consideration. After review, authorization was given for advertising the following items for sale on a sealed bid basis returnable not later than 10:00 a.m., June 23rd, 1983. The County reserving the right to reject any or all bids, and to waive any formalities in proceedings that may be in the best interest of Iron County.

Com 20 lks S fr NE Cor SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11, T36S, R11W, SLB&M; W 9.09 rds; S 6.06 rds; W 6.06 rds; N 6.06 rds; W 4.85 rds; S 16 rds; E 12 rds; S 10 rds; E 6 rds; S 6 rds; E 2 rds; N 32 rds.

ALSO: Com 8 rds W & 16.8 rds S fr NE Cor SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11, T36S, R11W, SLB&M, S 8 rds, W 12 rds, N 8 rds, E 12 rds to beg.

B-62-63-64

BEGINNING at a point which is South 0 Deg. 49'35" East 566.80 feet along the West line of 300 East Street from the Southeast corner to Lot 24, Block 8, LAVISTA PARK SUBDIVISION, according to the Official Plat thereof on file in the Office of the Iron County Recorder; running thence South 0 Deg. 49'35" East 80.00 feet along Said West line of street, thence South 89 Degs. 43'30" West 121.00 feet, thence North 0 Degs. 49'35" West 80 feet, thence North 89 Degs. 43'40" East 121.00 feet to point of beginning. Situated in Cedar City, Iron County, State of Utah.

N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 20, T36S, R10W, SLB&M. D-247

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, T36S, R10W, SLB&M. D-253

N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, T36S, R11W, SLB&M. D-1005

Lot 10, Sec. 30, T35S, R12W, SLB&M.
E-142

Lot 4986 in Garden Valley Ranchos,
Unit 8

E-1687-2-94-1

ROAD VIEW
OBSTRUCTIONS : Sheriff, Ira Schoppmann, appeared
concerning an ordinance recently
adopted by the Commissioners, requiring the removal by
property owners of obstructions to proper view of Roads
in either direction at County Road Intersections. Explaining
that, as presently structured, the ordinance is most difficult
if not impossible to enforce. After a brief review, it was
agreed that the Sheriff and County Attorney, should jointly
investigate the matter and recommend a solution.

TELEPHONE
MATTER : The request of Dona Miner, Co-County
Detention Administration, that
the phone system at the Detention Center be hooked in with
Compute-a-Call, was called on for consideration. In as much
as the Board found themselves completely unfamiliar with the
system proposed, the matter was tabled for more information.

CEDAR CITY
FIRE BUDGET : Commissioner Dee G. Cowan, presented
a copy of the budget set or to be
set, by Cedar City Corporation, for Fire Control purpose for
the next fiscal period, for the Boards consideration. After
brief review, a motion was duly passed, which was made by
Commissioner Dee G. Cowan, and seconded by Commissioner Louie
P. Tong, approving the subject budget for County Budgeting
purposes only, at this time.


QUIT CLAIM
DEED : The application of Norma S.
Burton, of Parowan, for a Quit
Claim Deed from Iron County covering the following described
property, for the purpose of removing a cloud from the title
was on motion of Commissioner Louie P. Tong, duly seconded by
Commissioner Dee G. Cowan, approved. Subject, however, to a

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determination having first been made that Iron County does
in fact have no interest:

Commencing 80 rods North and 60 rods
West of the Southeast corner of the
Southwest quarter of Section 30, T33S,
R8W, SLB&M, running thence North 80
rods, West 20 rods, South 80 rods,
East 20 rods to the point of beginning.

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

APPROVED:



CHAIRMAN

ATTEST:



CLERK

REGULAR JUNE 9TH, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, June 9th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Dee G. Cowan

Minutes read and approved.

FIRE EQUIPMENT

3200 SUBDIVISION : As the first matter of business Scott Jay Thorley,

County Attorney, discussed with the Commissioners the request from Developers of the 3200 Subdivision, that Iron County purchase and sell to them a Fire Truck to be stationed at and used by and for the benefit of the residents of the said Subdivision. The County Attorney advised the Board that the law made it clear that they could not lend the County's credit to the benefit of any private person or entity. In response to the question, "Could Iron County lease equipment to the subdivision and not be in violation of the law", his response was in the affirmative. Accordingly, this possibility was to be explored.

APPOINTMENT : The Commissioners were advised by the County Aging Council that Lloyd G. Baker had been appointed by them as County Coordinator, subject to any objections on the part of the Commission. After review, the Board expressed themselves as having no objections.

RECORDERS

FEES

: County Recorder, Cora J. Hulet, appeared seeking conformation of her recommendation that certain fees for services performed by her office be increased. After discussion, a motion was duly passed, which was by Commissioner Louie P. Tong and seconded by Commissioner Dee G. Cowan, providing for the following increases:

- 1 - Copies of Ownership Plats from .50¢ to \$1.00 each.
- 2 - Official Plats from \$2.00 first sheet and \$1.00 each additional sheet, to \$3.00 per sheet.
- 3 - House Plans from \$1.00 each sheet to \$5.00 per sheet.

DAUGHTERS
PIONEERS

: The legal status of the Cedar City Chapter of the Daughters of Utah Pioneers as related to liability for payment of Property Taxes, was called on again for consideration. County Attorney, Scott Jay Thorley, explaining that, based on his investigation, the whole matter rests on the Character of the Organization, and use to which the property is placed.

After review, the matter was referred to Commissioner Dee G. Cowan for investigation and report. If he finds that the subject property is only a small tract used solely for the placement of a marker, the tax will be waived.

COLOR COUNTRY

DIESEL AGREEMENT : County Attorney, Scott Jay Thorley, reported that he had presented the agreement between Iron County and Color Country Diesel concerning the sale to them of a Wrecker, to them for execution. However, it did not meet their approval, and they would therefore not sign. Accordingly, it was concluded to invite a representative of the firm to attend the Commission Meeting of June 23rd, 1983.

MILITARY
LEAVE

: Also discussed at this time with County Attorney, Scott Jay Thorley, was the question of compensation for County Employees while on leave for services with the National Guard. Following a rather in depth discussion, the Board concluded to continue their present policy of no compensation during absence unless employee is willing to accept this period as Vacation Time.

BID

OPENING : At the hour scheduled, with due and proper notice thereon given, bids received in response to the County's invitation to bid on the furnishing of Materials for ther Beryl Fire Station, were opened and read aloud. After examination by and with the assistance of Architect, John S. Rowley, awards were made as follows:

Quality Ready Mix	Concrete	\$ 6,580.00
J. & J. Mill	Riebar	3,934.00
J. & J. Mill	Masonry etc.	6,624.20
J. & J. Mill	Misc. Lumber	678.95
J. & J. Mill	Overhead Doors	2,895.00
Trus-Joist Utah Sales	Roof Joists, etc.	5,633.00

Singletons	Fabricated Steel	\$ 1,350.00
Anderson Lumber	½ CDX Plywood	1,657.38
Anderson Lumber	R3D Fiberglass Ins.	2,430.00
Imperial Glass	Hollow Metal Frames, Doors & Hardware	2,062.81
Imperial Glass	Wood Doors, Frame, Hardware	259.76
Bryner Wood	2" P.V.C. Pipe	963.26
Zion Plumbing	Plumbing Sub-Bid	8,731.00
De Mille Electric	Electrical Sub-Bid	12,174.00
No Bid Estimate	Roofing	6,000.00
No Bid Estimate	Sheet Metal	1,200.00
Trenching		432.00
Management Labor		<u>12,000.00</u>
Total-		\$75,795.33

TRUCK BIDS : Also, at time designated in the call, bids submitted in response to the County's invitation to bid on the furnishing of a Truck for the County Road Department, were opened and read aloud. Bids were as follows:

Rick-Warner Ford	46,169.00
Lake City International	54,110.00
Parowan Farm Equipment	65,170.00

Since all units appeared to meet specifications, the proffer of Rick-Warner Ford was declared to be lowest and best, and the award was accordingly made to them.

TAX LEVY ETC. : Mr. Dennis Lowder, County Auditor, met the Board for purpose of reporting that the hearing set for budget adjustments, and setting of tax levy could not be accomplished to day as scheduled, due to failure on part of the State Tax Commission to have completed and submitted their 1983 Assessment. At his request, the business contemplated to have been accomplished today was continued to June 23rd, 1983.

FIRE DEPARTMENT : Mr. Joe Melling, City Manager of Cedar City, appeared in support of Cedar City's contention that Iron County had failed to the extent of \$4,375.00, of meeting its commitment, by agreement with Cedar City, of its share of the Cedar City Fire Suppression Budget

for fiscal 82-83.

Following a brief review, the deficit claimed was approved and payment authorized.

PROJECT

BOLD : A delegation headed by Jack Sawyers representing the Department of State Lands and more especially at this time concerned with the now well known "Project Bold", appeared for making a status report on the project to the Commissioners. A rather informative discussion ensued, being purely informative. No action was required of Commissioners, and none was taken.

COMPUTER

FACTORING : Mr. Steve Grimshaw, County Assessor, appeared for presentation of a number of items for information of and council on from the Commission.

First was Concerned with the computer and included capacity and/or lack thereof, and purchase vs lease. He suggested that arrangement be made for a meeting with Four Phase Representation for July 14, 1983, to explore the possibilities. The Commissioners were agreeable to the proposal.

Second was the matter of Factoring, including but not limited to, presentation of a report from the State Tax Commission of items used by them in arriving at their factoring formula, and action which possibly should be taken in order to forstall any trouble with the State Tax Commission by the County's failure to respond in the affirmative to their current years order. Explaining that there are several options open:

- (a) Hire a local person full time and send him to appraisal school.
- (b) Contract with the State Tax Commission for appraiser, either on a per unit basis or on a per day basis.
- (c) Contract on a part time basis with a qualified appraiser.

He indicated that he favored Contracting with the State Tax Commission, and the hiring of another deputy for his Office, thus affording him more free time to work with and on elements related directly with appraisals.

The Commissioners advised him that he is the one Most informed relatives to the duties and responsibilities of his office and that any such decision should be left largely with him.

Mr. Grimshaw also reported on the status of the Air Conditioning Project for the computer equipment. Furthermore, that he had been appointed

as a Member of the Board of Directors, of the Utah State Association of Counties, and wanted to know if they had any objection to his performing such service. They informed him that they had none, but to the contrary approved of his acceptances.

FLOOD WATER
MANAGEMENT

: Mr. Jerry Bryant, Member of Coal Creek Irrigation Company, appeared in response to an Invitation from the Commissioners to discuss with them possible current and long range action which needs be taken in order to minimize damage from abnormal water flow on Coal Creek. There ensued a great deal of discussion which may lay the groundwork for subsequent action, but none was taken at this time. The only specific items that came up was his request for use of County Equipment for cleaning of flood channels, but no specific action was taken with respect thereto.

FIRE
DEPARTMENT

: Commissioner, Louie P. Tong, presented the following resolution and moved that it be adopted:

Whereas, under the terms of Public Law 89-136, as amended, the United States of America has authorized the making of grants to public bodies and private nonprofit organizations or associations to aide in financing the construction of specific projects:

Now therefore, be it resolved by the Board of Iron County Commissioners, that Commissioner Louie P. Tong, be authorized to execute and file an application on behalf of Iron County, a body corporate and politic of the state of Utah, with the Economic Development Administration, U.S. Department of Commerce, for a grant in aide in financing the installation of a Cement Floor, and an Asphalt Driveway for the community Fire Station in Paragonah Town, Iron County, Utah.

That the above named authorized representative is hereby authorized and directed to furnish such information as the Economic Development Administration, U.S. Department of Commerce, may reasonably request in connection with the application which is herein authorized to be filed, and further, is authorized to accept any offer of grant which may be tendered by the Economic Development Administration, U.S. Department of Commerce.

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

DETENTION
CENTER

: Commissioner Tong, also made a motion that the Iron County Commissioners indicate by letter to the Division of Family Services, attention Richard Garrett, their desire that the contemplated Regional Detention Facility be located in Cedar City, Commissioner, Dee G. Cowan

seconded the motion and the vote was unanimous.

FIRE
AGREEMENT

: County Attorney, Scott Jay Thorley, presented a rough draft of a proposed Fire Service Agreement by and between Iron County and Parowan City Corporation. After review, amendments, and re-copying, it was approved by the Board and referred to Chairman Robinson for presentation to Parowan City for their acceptance or rejection.

A similar agreement, ^{with Cedar City} heretofore approved for budgeting purpose only, but subsequently executed, was also approved as to form and content. Both actions taken were based on motions duly passed, which were made by Commissioner Dee G. Cowan, seconded by Chairman, James C. Robinson in the first instance and Commissioner Louie P. Tong in the second.

BEHNING

SUBDIVISION : The matter of releasing funds sufficient to pay balance due the Engineering Firm servicing the Behning Subdivision, was again called on for consideration. After review it was concluded to act favorably on the matter if and provided the subject Engineering Firm is found to have fully complied with the terms of their contract.

PROPOSED

LAND PURCHASE : The question to sell or not to sell the property known as the Richardson Building, was briefly discussed. Since apparently two proffers had been made to purchase the property, one from Burt Nichols of Cedar City for \$60,000.00, and one from Parowan City Corporation and/or a subsidiary unit, for what the County had invested in it, being some \$69,000.00, a motion was duly passed, which was made by Commissioner, Dee G. Cowan, and seconded by Commissioner Louie P. Tong, providing that Parowan City's offer be accepted. Chairman James C. Robinson to follow up on further negotiations.

ENOCH

TOWN : A report was made to the Commissioners by County Attorney, Scott Jay Thorley, on status of the proposed Service Agreement with Enoch Town, as he sees it at this time. No action was necessary or taken on the matter however.

FIRE

BUDGET : A letter was received from Brian Head Corporation relative to their 1984 allocation, if any, for fire cost support. The letter was ordered referred to the County Auditor for consideration in preparation of the 1984 Budget.

AMBULANCE

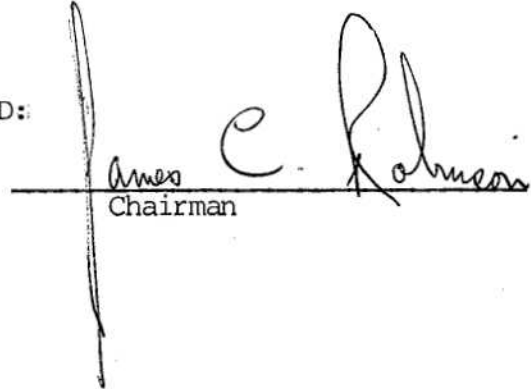
CONTRACT : The existing Ambulance Contract, by and between Iron County and I.H.C. was extended for a 60 day period and then to be

called on for further consideration.

The EMT's also received, at least the moral support of the Commissioners in their effort to obtain additional Communication Equipment.

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

APPROVED:


Ames C. Johnson
Chairman

ATTEST:


Clair Steele
Clerk

REGULARE JUNE 23rd, 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:

James C. Robinson	Commission Chairman
Dee G. Cowan	Commissioner
Louie P. Tong	Commissioner
Clair Hulet	Clerk
Scott Thorley	Attorney

Invocation: Clair Hulet

Minutes read and approved.

TAX

MATTER : As the first matter of business, Commissioner Dee G. Cowan, reported on his investigation of the Cedar City Chapter, Daughters of Utah Pioneers application for Tax Waiver. He stated that the property involved was simply a small tract of land on which is located a marker. Consistent with previous action taken by the Board, Taxes would accordingly be waived.

REPORT

MEETING : Chairman, James C. Robinson, reported on his meeting with the Parowan City Administrative Body, with respect to the Fire Service Agreement, indicating that, after discussion, it was left with them for their further consideration and action.

FLOOD

WATERS : Mr. Lynn Fiack, County Road Supervisor, appeared for purpose of discussing with the Board the possibility of finding and/or providing a course for flood waters to follow other than the one presently being used, the Barrow Pit of Old Highway 91 running westerly from Parowan City. The matter having received a brief review, it was concluded to obtain names of property owners in the immediate area, and ascertain as to whether or not they would be willing to participate in providing a channel removed from the roadway.

BID

OPENING : At 10:00 a.m. as scheduled with due and proper notice thereon given, bids received in response to the County's invitation to bid for purchase of land offered for sale by Iron County, were opened and read aloud. Only one bid was received. That of Jake Dieleman, Proffering \$8,300.00 for the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, Township 36 South, Range 10 West, SLB & M. The bid was tabled upon opening, but subsequently rejected as being below the minimum price the Commissioners had established for the property, and falling within

the right of rejection reserved by the Commissioners as clearly stated in the call for bids. Mr. Dieleman to be advised of the action taken, and his check tendered in connection with his bid to be returned.

RICHARDSON

BUILDING : A delegation comprised of the following delegates, representing the Little Salt Lake Medical Clinic, appeared for purpose of negotiating with the Commissioners for purchase by them of the property titled as the "Richardson Building" presently owned by Iron County.

Watson Adams, Spokesman
Karl O. Mitchell, Member
Arnold Gurr, Member
Carol A. Wright, Member

After proposals and counter proposals had been discussed and considered, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, authorizing sale to the said corporate entity for a cash consideration of \$62,500.00, subject to Parowan City's waiver of request for first rights of refusal. Payments to be made in two installments, \$30,000.00 down, and the balance of \$32,500.00 on or before January 1st. 1984. No interest on deferred balance. County Attorney, Scott Thorely, thereupon being authorized to prepare appropriate agreement, etc.

Commissioner, Tong insisting that the record show that the property is intended to be used as a Medical Clinic for Parowan City.

CEDAR CITY

LIBRARY : Mr. Joe Melling, City Manager for Cedar City corporation, appeared for purpose of requesting that Iron County, through its 1983 Tax Levy or other wise, prepare to award to Cedar City the sum of \$19,500.00 for the next Fiscal Period, for Library purposes. Being an increase of some \$1,500.00 over the previous years allocation. The Board agreed to give the matter due consideration at date and time the 1984 budget is prepared.

Also discussed informally with Mr. Melling was possible salution to Flood problems on Coal Creek. No action was taken with respect thereto, however.

PAUITE

TRIBE : Mr. Travis N. Benioh, representing the Pauite Indian Tribal Council, appeared seeking support from the Commissioners, in the form of a resolution, for a bill now before Congress titled "Pauite Indian Tribe of Utah Restoration Act".

Accordingly, after discussion and review, Commissioner Louie P. Tong Proffered the Following resolution and moved for its adoption:

RESOLUTION

WHEREAS, Congressman Dan Marriott has sponsored the Paiute Indian Tribe of Utah Restoration Act of April 3, 1982, P. L. 96-227, which restored federal recognition to the Utah Paiutes and provided for the development of a reservation plan by the Secretary of the Interior for the acquisition of up to 15,000 acres of land, and;

WHEREAS, Congressman Marriott has introduced a bill, H. R. 2898, to set aside land for the Paiute Indian Tribe of Utah, and to provided for an economic development trust fund, and;

WHEREAS, the plan as prepared provides for the setting aside of a parcel of land administered by the Bureau of Land Management consisting of approximately 2,475 acres within Iron County, and;

WHEREAS, the Paiute Tribal Council, with the support of the bands, has proposed an amendment to the bill allowing the lands to be placed in trust for the respective bands and to hold the principal of the trust fund as an irrevocable trust..

NOW THEREFORE, be it resolved by the Board of Iron County Commissioners in regular session assembled this 23rd, day of June 1983, after becoming generally familiar with the provisions of H. R. 2898 and the amendment desired by the Paiute Tribal Council, that we go of record as being supportive of the proposed legislation coupled with the desired amendment.

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

PAROWAN

RACE TRACK : Mr. Larry Pendleton, and Carolyn Ray, met the Commissioners for purpose of attempting to convince them that they should appropriate or prepare to appropriate the sum of \$10,000.00 for Capital Improvement at the Parowan City Race Track and Rodeo Grounds.

They were advised that their request would receive appropriate consideration during budget preparation for 1984.

PUBLIC

HEARING : At 1.00 p.m., as scheduled, a Public Hearing was conducted on a proposal for Zone change, as related to the following described property:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, and the S $\frac{1}{2}$ NE $\frac{1}{4}$ - NW $\frac{1}{4}$ Section 4, Township 36 South, Range 9 West, SLB & M. A proposal which had previously been acted upon favorably by the County Planning Commission.

In Attendance for the hearing were:

Elmer L. Lowe,	Former Land Owner
Raymon Lowe,	Former Land Owner
James L. Shumate	Attorney for Alpine Investment Corporation
Chad Nay,	County Building Inspector
Ronald Ferderer	
Kathy Hasting	
Austen A. Dent	
Kim N. Talbot	
Pam Godard	
Scott Bulloch	
Ofelia Ferderer	
Gerrald Godard	
James Pritchard	
Michele Ferderer	
D Robinson	

Tom Harris,	Planning Commissioner
Bryner	Planning Commissioner
Toyer Olsen,	Planning Commissioner
Paul Hausselbee,	Press
Davin Vaega,	Architectural Planner

Plans and objective were presented in detail by Davin Vaega.

Tom Harris responded for the Planning Commission, asserting that some sort of agreement be entered into providing a time period for performance, or a periodic review.

James L. Shumate, Attorney for the Developers responded to Mr. Harris with an explanation of agreements already drawn which deal directly or indirectly with the problem. Adding that the Developers will be bound by their own Master Plan.

D Robinson expressed concern over effect Development might have on Water Quality down stream. He was assured this problem was being dealt with.

All Parties having been heard who wished to be heard, a motion was made by Commissioner Dee G. Cowan that, Subject to the formal agreement being satisfactorily worked out by Counsel for the parties, the requested Zone Change or Changes be granted. The motion was duly seconded by Commissioner Louie P. Tong, the vote called for which was as follows:

Chairman, James C. Robinson,	Abstaining
Commissioner, Dee G. Cowan	Aye
Commissioner, Louie P. Tong,	Aye

PUBLIC

AUDIT REPORT: Mr. Worth Grimshaw, CPA,, of Cedar City, and his Associate, met with the Commissioners for purpose of submitting the County Audit Report for 1982, which they had recently completed under arrangement with the County Commissioners.

Following a brief question and answer period the report was accepted, and bill for services in amount of \$4,500.00 approved for payment.

MILL

LEVY : At request of Dennis Lowder, County Auditor, the setting of the County Mill Levy and Amending of the 1983 budget was continued without date. hearing to be reset upon receipt of necessary information from the Utah State Tax Commission.

TRAVEL

AUTHORIZED : A request was made and authorization given for the Commissioners to travel to West Valley City June 30th, and July 1st, 1983 for purpose of inspecting their Juvenile Detention Facility.

BRIDGE

MATTER : It was reported to the Board that the UDOT was and/or is constructing a Bridge over a Coal Creek Diversion Channel for access to their Maintenance Sheds. The Commissioners expressed concern over possible

adverse effects of the structure and would therefore appreciate being oriented on the plans. Accordingly, it was deemed advisable to invite the District Engineer to attend the next Commissioners Meeting. Commissioner Dee Cowan to extend the invitation.

CEDAR

J.P. COURT : Margaret Miller, Cedar Precinct Justice, appeared before the Board for basically two purposes. One to Orient the Commissioners on the duties, responsibilities, and effect new legislation may have upon her case load and the functions of her office.

Two, to request more money be afforded her Department.

After a rather in depth review, the Commissioners recommend that she reduce her presentation and request to writing, and they would give it due consideration at appropriate time and place.

WRECKER

CONTRACT : County Attorney, Scott Jay Thorley, reported that the contract between Iron County and Color Country Diesel had now been executed. Wherefore the request for their appearance at Commissioners Meeting, can be waived.

ROAD

MATTER : The request of Austin LeFevre, that Iron County enforce its Ordinance recently enacted requiring the removal of view obstructions at all County road intersections, more especially one existing on a roadway leading to his residence located in the Parowan North Fields area, came on for consideration.

In reviewing the matter a number of questions were raised, including the question as to whether or not the subject road was in fact county. Commissioner Cowan to discuss the matter with Road Supervisor, Lynn Fiack.

BIHNING

MATTER : Scott Jay Thorley, county Attorney, reported that he, Kerry Carpenter, and chairman Robinson, had met regarding the payment for Engineering Services provided in connection with the Behning Subdivision. Mr. Thorley reported that based on their findings, payment could be made consistent with previous conditional action taken, with out any serious adverse affect upon subsequent engineering services. Authorization for release of funds had accordingly been given.

INDIGENT
SERVICE

SERVICE : A letter received from the University of Utah, accompanied by a bill for Medical Services to an indigent person, were referred to the County Attorney for consideration and appropriate action.

APPROVED: _____

Chairman

ATTEST: _____

Clerk



SPECIAL JULY 7th, 1983 MEETING

Minutes of a Special Meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, July 7, 1983, beginning at the hour of 9:00 a.m.

Officers attending were:

- James C. Robinson, Commission Chairman
- Dee G. Cowan, Commissioner
- Louie P. Tong, Commissioner
- Dennis Lowder, Auditor
- Scott Jay Thorley, Attorney

BUDGET MATTER

: As the first matter of business the Commissioners gave consideration to necessary adjustments in 1983 General Fund Budget Appropriations.

First considered was a proposal for an increase of some \$103,496.00, \$86,121.00 to be funded from sources other than those heretofore anticipated.

Second, was a proposal for a reduction of \$14,170.00 being made possible by a reduction in the amount required from the County in State Retirement Program Match.


A motion to adopt both proposals was made by Commissioner, Dee G. Cowan, duly seconded by Commissioner Louie P. Tong, and the vote thereon was unanimous.

Thereupon, a motion was made by Commissioner Louie P. Tong, to amend the Property Tax Revenue programed for the General Fund to \$1,000,600.00, the County Library Fund to \$39,300.00, Capital Reserve to \$251,500.00. The motion was duly seconded by Commissioner Dee G. Cowan, and the vote was again unanimous.

1983 TAX LEVY

: The Commissioners then turned their attention to the matter of setting the 1983 Mill Levy, and after due deliberation, approved a setting as follows:

General Fund	12.73 Mills
County Library	.50 "
Public Health	.69 "
Capital Reserve	3.20 "
	<hr/>
TOTAL	17.12 "

APPROVED: 

 CHAIRMAN

ATTEST: 

 CLERK

REGULAR JULY 14th, 1983 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:

James C. Robinson	Commission Chairman
Dee G. Cowan	Commissioner
Louie P. Tong	Commissioner (not present)
Sherrie B. Lamb	for County Attorney

Invocation: James C. Robinson

Minutes read and approved.

COMPUTER SERVICE

: As the first matter of business, the Commissioner afforded Mr. Art Partridge and Mr. Stanley Southerland of P.M.S., an opportunity to present their case in support of their position that Iron County needs a larger capacity computer, and the benefits of expanded services.

The presentation was lengthy, highly detailed, loaded with figures, copies of which were filed and made a part of this record by reference. Also included in the presentation was estimated savings, if any, to accrue to Iron County through a purchase arrangement as opposed to retail. Action on the proposal was tabled pending study and further consideration.

Most County Administrative Departments had a representative present for the presentation.

ALPINE RESORTS

: A delegation appeared representing Alpine Resorts Investment, a limited partnership, for the purpose of attempting to hammer out and finalize an agreement by and between Iron County and the said limited partnership, relative to zone change and development of the proposed Crystal Mountain Resort.

James L. Shumate, Esq., attorney for the group, and Davin Vaega, Architectural Planner, acted as spokesmen for the delegation. Mr. Tom Harris was present, and representing the County Planning Commission.

Two proposed agreements had been prepared. One by Iron County Attorney, Scott Jay Thorley, and the other by James L. Shumate, Esq.

James L. Shumate, Esq., walked through areas of variance between the two agreements with the Commissioner and most, if not all, of the variances were reconciled.

There remained the, the copying of the agreement as tentatively agreed upon, an examination of the corrected copy to determine that it does in fact conform to

the amended version, and execution by the parties.

LAND BID

MATTER : At the previous Commissioners Meeting, one, Jake Dieleman, had submitted a bid proffer for the purchase of property owned by Iron County and described as the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 36 South, Range 10 West, SLB&M. said bid having been rejected on the grounds that it was below the Minimum the Board had set as a consideration for the property.

Now the bidder appears, accompanied by Kenneth Clark, of Kanarraville, in an effort to convince the Commissioners that the bid was reasonable and should have been accepted. As evidence supporting their position, they presented an aerial photo, purportably of the subject property, depicting a large portion of the land area as being waste, thus reducing its value.

The Commissioners tabled the matter pending an on site investigation.

HOME

HEALTH

: Mrs. Marie Prince representing the Iron County Home Health Department, appeared for purpose of reporting briefly on the activities of the Department, and for discussing with the Board matters and problems related to its structure

After review it was concluded that the Home Health Department would submit to the Board a written proposal for structure, policies, and its relationship to Iron County, for the Commissioners study, review, and action.

AGING

COUNCIL

: Mr. Robert Rasmensen, and Lloyd Baker, representing the Council on Aging, appeared for discussion of a number of items related to activities of the Council.

First, was to confirm the previous assumed fact that the Council was in fact established as a non-profit corporation. Explaining that the action to incorporate become necessary to qualify them for certain funds.

Second, was to request provision for office space, to be used on part time basis, in the Iron County Courthouse.

The first item, being strictly informative, required no action.

With respect to the second, investigation was authorized to be made into what space, satisfactory to them, might be available.

PROFFER TO

PURCHASE

: Mr. John Rex, local Real Estate agent, met the Commissioner for the purpose of presenting, for and on behalf of clients of his a proffer to purchase from Iron County the County Rest Home. The proffer was detailed, and in writing, regarding consideration, terms, etc. In as much, however, as they had not heretofore given consideration to sale of the property, the Commissioner continued a decision on the matter to the July 28th, 1983 meeting

First, they must make a decision as to whether or not they have any interest in selling at all.

Second, if so, what consideration and terms would be acceptable.

TRAVEL

AUTHORIZED : A request was made and authorization given for Chairman Robinson, LaMar G. Jensen, County Treasurer, to attend a hearing in Salt Lake City, August 4th, 1983.

CEDAR PRECINCT

JUDGE : Written material furnished the Board by Cedar City Precinct Justice, Margaret Miller, in support of her request for additional money for her Department, was furnished each of the Commissioners for study, action to be subsequently taken.

BUSINESS

LICENSES : The following applications for business licenses were submitted and approved:

Clarence N. Lewis, Light Manufacturing

Virgil Hennessey - Class "C" Beer

Virgil Hennessey - Store and Cafe

WAIVER

RIGHTS : A letter was received over the signature of John C. Pendleton, Mayor of Parowan City, waiving their existing rights, if any, for first chance of refusal in the event Iron County concludes to sell the Richardson Building. In substance they defer to the L.S.L.C., Inc.

DAMAGED

PHONE CABLES : Notice to the Iron County Commissioners that certain underground cables of Mountain Bell, had been damaged by County Road Department Personnel, was referred to Commissioner Cowan for Investigation.

TELEVISION

RECEPTION : A request from KSL T.V. for a report on Television Reception from their station in this area was referred to Chairman Robinson for response.

RICHARDSON

BUILDING SALES : The Commissioners were advised that proceedings were largely complete for consummating sale of the Richardson Building. It was concluded, however, that little could be accomplished at this time due to absence of the County Attorney.

PROPOSED

JAIL : At approximately 3:30 p.m. representatives of Edwards and Daniels Architectural Firm, appeared for a further report on the development of the design of the proposed New County Jail. By use of a model, charts, and other aides, they were able to present for the Commissions information a rather comprehensive report on the design plan. Also included in their presentation, was a forecast or cost estimate presented on basis of options available.

JAIL:

32 Beds	\$1,724,062.00 - per bed	\$53,876.00
36 Beds	1,795,062.00 - per bed	49,862.00
40 Beds	1,866,062.00 - per bed	46,651.00

To be added to which every option is selected:

Sheriffs Department	\$480,462.00
Utah Highway Patrol	202,271.00, plus contingencies and land cost

An in depth discussion ensued with respect to the whole subject, but no formal action was necessary or taken at this time.

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

APPROVED:

James E. Robinson
Chairman

ATTEST:

Clair Seeler
Clerk

SPECIAL JULY 26th, 1983 MEETING

Informal Meeting of the Board of Iron County Commissioners,
held in the Cedar City Chamber of Commerce Building, Cedar City,
July 26th, 1983.

Attending:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney
York Jones, Manager, Utah International
Frank Metcalfe, Mine Manager, Utah International
Joseph A. Mecia, Attorney, Utah International

York Jones, explained that Utah International wished to dispose of assets consisting at this time of some 455.16 acres of land located in the Desert Mound area, at the rate of \$150.00 per acre, or \$68,250.00 total.

In turn the County, through its Board of Commissioners had heretofore, and did at this time express an interest in purchasing the subject property.

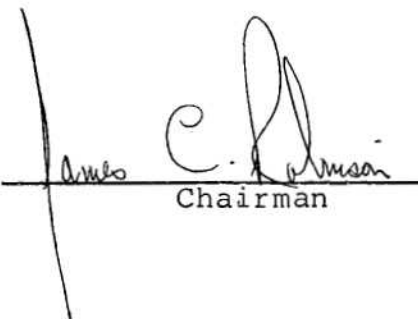
Consequently, the discussion centered around the possibility of a lease with option to purchase arrangement, and other details of procedure. While the Commissioners did not necessarily favor a lease over an extended period, they did want the benefit of an agreement whereby they would be in a position to walk away from it in event circumstances so dictated.

Wherefore, it was agreed that Counsel for Utah International would prepare an agreement embodying the terms discussed, providing in substance, for a substantial initial rental payment on the lease option, which, along with subsequent rental payments, may at the option of the Lessee, be applied toward purchase price. The period of lease to run for three to four years together with the right to exercise the purchase option at any time during the lease period. In the event the option is exercised within one year there to be no interest charged.

Counsel for the Lessor to have the Lease option agreement ready for examination by the Lessee and Counsel by August 11th, 1983. If acceptable to the Commissioners and their Counsel, to be executed at that time.

Meeting adjourned.

APPROVED:


James C. Robinson
Chairman

ATTEST:


Clair Spelch
Clerk

REGULAR JULY 28th, 1983 MEETING

Minutes of a Regular Meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, July 28th, 1983, beginning at the hour of 9:00 A.M.

Officers in attendance were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Dee G. Cowan

Minutes approved subject to minor adjustment.

ROAD MATTER : As the first item of business, audience was given to Lynn Fiack, County Road Supervisor, for an informal report on matters related to his department, including but not necessarily limited to the following:

That items preparatory to hard surfacing of Redco Road and Jenson Lane be arranged by quotation, and that asphalt for Redco Road be bid out. Jenson Lane, at least tentatively, to be provided with a tack-coat.

PROPOSAL TO PURCHASE : Mr. John Rex of Parowan, again appeared in an effort to further the interest of clients of his in purchasing the Rest Home from Iron County.

After considerable discussion, the Commissioners, in substance, generally resolved the first issue by indicating that they had positive interest in the idea of sale.

However, they at the same time indicated that they owed something to the current Administrator, Clarence Junior Benson, who was present.

Consequently, after further discussion, it was concluded that the next step would be for Mr. Benson to present a written proposal, if he cares to, for purchase of the property. The two proposals to then be weighed, with further negotiations to follow.

thirty two cell facility to a forty.

Following further discussion, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, adopting the proposal, claiming that it could be done and costs still fall within the cost limitation of \$1,900,000.00. Edwards and Daniels to be so advised.

FIRE AGREEMENT : The Fire Suppression Agreement by and between Parowan City and Iron County, heretofore approved, came on for consideration and execution.

LAND PURCHASE : Heretofore considered and contemplated purchase of some 455.16 acres of land from Utah International, Inc., in the Desert Mound area for the sum of \$68,250.00, was formally approved by passage of a motion of affirmation, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan. The action subject, however, to the working out of details related to the transaction.

SUPERVISOR BERYL FIRE HOUSE : The matter of contracting with a supervisor of construction for the Beryl Fire House was advanced for consideration by County Attorney, Scott Jay Thorley. After review, Mr. Thorley was authorized to work out an agreement satisfactory to both parties, and on which would at the same time safeguard the County's position.

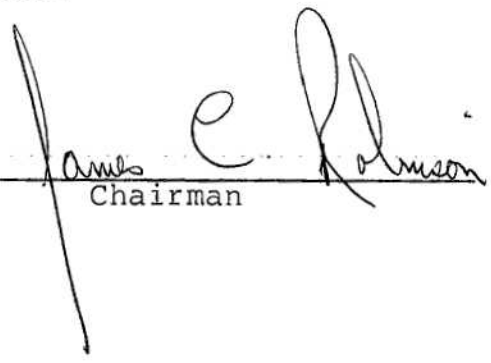
ZONE CHANGE HEARING : At 1:00 P.M. as scheduled, and with due and proper notice thereon given, a hearing was held on the application of Dean E. Forsyth for a change in zoning for the following described property from an A-20H, to and R $\frac{1}{2}$ H.

BEGINNING at a point on the east boundary of New Castle Town survey and the north line of Second South Street thereof, such point being situated North 651.64 feet and East 915.83 feet from the Southwest Corner of Section 16, Township 36 South, Range 15 West, Salt Lake Base Line and Meridian, thence N. 0° 00' 25" E. 700.15 feet to the north line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Thence N. 89° 04' 21" E. along the 1/16 line a distance of 1014.30 feet, thence South 769.84 feet to a point North 598.3 feet and East 1930.1 feet from the Southwest Corner of Section 16. Thence N. 89° 59' 35" W. 91.1 feet, South 12.85 feet, N. 89° 59' 35" W. 136.8 feet, S. 55° 05' 45" E. 68.65 feet, S. 31° 27' 00" W. 200.0 feet, N. 55° 05' 45" W. 85.3 feet, N. 64° 41' 10" W. 309.7 feet, N. 73° 05' 10" W. 275.5 feet, West 124.8 feet to the east boundary of the New Castle Town Survey, Thence N. 0° 00' 25" E. 14.60 feet to beginning and containing 18.97 acres of land.

After all had been heard who wished to be heard, and there being no objection, a motion was passed unanimously, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, approving the change as requested.

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

APPROVED:


Chairman

ATTEST:


Clerk

REGULAR AUGUST 11TH, 1983, MEETING

Minutes of a regular meeting of the Board Of Iron County Commissioners held in Commission Chambers at the Courthouse, Parowan Utah, August 11th, 1983, beginning at the hour of 9:00 A. M.

OFFICERS ATTENDING WERE:

Dee G. Cowan, acting Commission Chairman
Louie P. Tong, Commissioner
Scott Jay Thorley, Attorney
Clair Hulet, Clerk

Invocation: Commissioner Dee G. Cowan.

Minutes read and approved.

RICHARDSON

BUILDING SALE: As the first matter of business, the Commissioners entertained a delegation representing LSLC, Inc, comprised of Ardell Hyatt, Karl O. Mitchell, Watson Adams, and Howard M. Adams. The purpose of their appearance was to negotiate further terms and conditions of a Lease with option to buy from Iron County real property generally identified as the Richardson Building and grounds, more particularly described as:

BEGINNING 1468 feet North and 313.1 feet East from the South Quarter Corner of Section 13, Township 34 South, Range 9 West, SLB&M, running thence South 0 Degs 24'30" West 121.8 Feet, South 89 Degs 15'30" East 602 feet, North 0 Degs 24'30" East 24 feet, North 89 Degs 15'30" West 468.8 Feet, North 0 Degs 24'30" East 97.80 Feet, North 89 Degs 21'30" West 133.20 Feet to point of beginning.

TOGETHER WITH a 20 foot right of way easement described as follows: Ten feet on each side of the following described Center Line: BEGINNING 1600 feet North and 96.5 feet West from the South Quarter Corner of Section 13, Township 34 South, Range 9 West, SLB&M, running thence South 89 Degs 21'30" East 300.8 Feet, thence South 0 Degs 24'30" West 122 feet, South 89 Degs 21'30" East 174.2 Feet

After the proposed terms and conditions of the Lease and Option had been reviewed provision by provision, and such adjustments had been made as deemed to be advisable, and the final draft agreed to by the parties, a motion was unanimously passed which was made by Commissioner Dee G. Cowan and seconded by Commissioner Louie P. Tong, providing that Chairman James C. Robinson be authorized to execute the said Lease and Option, as amended, for and on behalf of Iron County upon the revised draft being prepared for execution by the County Attorney.

DEPARTMENT

FAMILY SERVICES: Mr. Richard Garrett and Scott Kline, representing the Department of Social Services, met with the Commissioners for the purpose of acquainting them more fully with services being rendered by their Department. The presentation and the discussion which ensued, was purely informative, requiring no action on the part of the Commissioners and none was taken. They expressed a desire to cooperate fully with the Commissioners, and extended an invitation to them to solicit their assistance in areas

wherein their services might be supportative.

PARAGONAH FIRE

DEPARTMENT : Mr. Royce Barton, Paragonah Town's Fire Chief, appeared for the purpose of expressing the Departments appreciation for assistance of Iron County in obtaining a light truck equipped for their use. He also advised the Board that he had brought the Truck with him and invited their inspection. The Commissioners thereupon adjourned for their noon recess and in connection therewith, availed themselves of this opportunity. No further action was taken, none being necessary.

PROPOSED SALE

REST HOME : Action at the previous Commissioners Meeting relative to the subject matter, provided, in substance, that no further consideration be given to the existing proffer to purchase until the present Administrator has had an opportunity to also present a proffer or counter proposal. Mr. Clarence Junior Benson, the Administrator, appeared informally at this time to report that he is in process of preparing a proposal more or less in harmony with terms he and Commissioner Louie P. Tong had discussed, but that he needed additional time. The extension he desired was granted for two reasons. One, the Board was desirous of accomodating Mr. Benson, and the other being the fact that the County Attorney had advised the Commissioners that they should first have in place an Ordinance spelling out the procedure to be followed by the County in connection with the sale of County property as provided for under Section 17-5-48, Utah Code Annotated 1953. County Attorney, Scott Jay Thorley, by and with assistance from the Commissioners in the nature of recommendations, to prepare the said Ordinance for approval and publication.

SUBDIVISION

REGULATIONS: Mr. Chad Nay, County Building Inspector, and Scott Jay Thorley, County Attorney, discussed with the Board at some length a provision or provisions of the Subdivision Ordinance which in their judgement is being abused. The subject of the Sections referred to dealt with the division of Agriculture land for Agriculture purposes into not less than twenty (20) acres in area. Chapter 111-12 and 20. They believed that some action should be taken to amend the Ordinance in such manner as to forestall further abuse. Accordingly, County Attorney Thorley, agreed to prepare two or three proposals to be studied by the Planning Commission and the County Commissioners in an effort to arrive at an agreeable and workable solution.

QUIT

CLAIM DEED : Mr. Russell Sevy, of Cedar City, made formal application to the Commissioners for a Quit Claim Deed from Iron County covering the following described property to remove a cloud from the title, in all probability created by failure to record the original deed or deeds. The Commissioners, upon having determined that Iron County had no interest or claim on the property, passed a motion which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, authorizing issuance of the

said deed.

DETENTION

AGREEMENT: The State Department of Social Services, presented for approval and execution by the Commissioners, an Agreement by and between their Department and Iron County for Youth Detention. The execution of the Agreement was authorized subject to an examination by the County Attorney revealing no provisions to which he has objections.

GARBAGE

COLLECTION: Brief consideration was given to the matter and means of collection of delinquent Garbage Service Pickup accounts. After discussion, it was concluded to proceed as heretofore planned, and exercise the legal right to attach all delinquent accounts as a lien against the property of the debtor and/or the Lessor in event the occupant of the premises is a Lessee. Such an announcement having been included as a part and portion of all recent billings.

FIRE HOUSE

SUPERVISOR: Scott Jay Thorley, County Attorney, reported on and was authorized to complete the contract for Supervisory services over construction at the Beryl Fire House.

TRAVEL

AUTHORIZED: County Attorney, Scott Jay Thorley, also requested and was authorized to attend a Seminar for County Attorneys in Salt Lake City, August 30th, 1983, and another in Florida November 13th, to 17th, .

EMPLOYMENT

MATTER: Commissioner Dee G. Cowan reported that Barbara Batt of Parowan had been given full time employment with the County Assessors Department as Secretary two (2), and that her compensation should be adjusted accordingly.

ABATEMENT

APPLICATIONS: Applications for abatement of property taxes by Corrine Murie, and Ruth G. Chase as hardship cases were considered and approved. They otherwise were not qualified.

REGIONAL

DETENTION : Commissioner Louie P. Tong, reported briefly on activity related to the proposed regional youth Detention Center, which would include Diagnostic and Shelter care. Furthermore, he wanted the record to show that Iron County is actively pursuing the possibility of having our own area selected for its location. He also enumerated a number of the benefits which would accrue therefrom.

BUSINESS

LICENSE: The application of Ronal L. Brown of Cedar City for a business license covering a Muffler and Brakes shop at 1400 North Main Cedar City, was considered and approved.

WORK

MEETING: A report on the work meeting of the Board Of County Commissioners, held in the County Attorneys Office at Cedar City, July 29th, 1983, consistent with scheduling made at the regular Commissioners Meeting of July 28th, 1983, was made by Dee G.

Cowan. The purpose and objective of the said meeting being to rework and hammer out an acceptable Lease and Option to Buy Agreement with L.S.L.Inc, a matter which came on regularly for consideration at the July 28th, meeting. Upon the document having been reworked at the said work meeting, a motion was made by Commissioner Dee G. Cowan that it be accepted and that Chairman Jim Robinson be authorized to execute the same for and on behalf of Iron County. The motion was duly seconded by Commissioner James C. Robinson, and the motion passed on a two to one basis. Commissioner Louie P. Tong, abstaining.

PROPOSALS

ROAD WORK: The following proposals were received in response to the County's call for the furnishing and installation of 95 tons of bituminous prime coat MC-70, upon 3.88 miles of the REDCO Road, and 1.8 miles of the Jenson Lane in Cedar Valley;

G. M. Aldred & Sons	\$356.00 per ton.
Hall Brothers, Inc.	344.00 per ton.
R. A. Childs, Inc.	292.19 per ton

The low proposal of R. A. Childs, Inc, was accepted and authorization given to proceed with the projects. Total costs to be:

REDCO ROAD	65 tons @ \$ 292.19	=	18,292.35
JENSON LANE	30 tons @ \$ 292.19	=	8,765.70
Total, both projects			<u>27,758.05</u>

The Commissioners also authorized a call for sealed bids for furnishing and unstalling approximately 5,000 tons of central hot-plant mixed bituminous surface course and approximately 20 tons of bituminous tack coat associated therewith, upon 3.88 miles of the REDCO Road, and 1.31 miles of McGarry Lane. Bids to be opened at or about 9:00 A. M. August 25th, 1983, in Commission Chambers at the Courthouse, Parowan, Utah.

RIGHT-OF WAY

WIDTH: Scott Jay Thorley, County Attorney, presented a draft of an Ordinance which he had prepared designed to formalize County Road right-of-way width consistent with that heretofore established by policy, practice, and precedent. While the Commissioners found no fault with the document, and in fact approved, authorization for publication was continued to afford Chairman, James C. Robinson, an opportunity for review.

BERYL FIRE

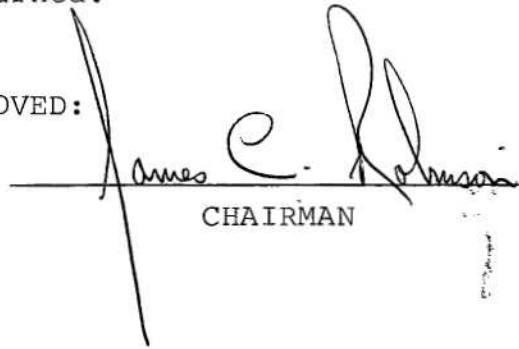
HOUSE : By letter, Mr. John S. Rowley, Architect for the Beryl Fire House, presented a cost sheet prepared by Escalante Rural Electric Association, Inc, covering cash outlay necessary from Iron County to obtain Electrical Power Service at the project. While the presentaion was detailed, in substance it provided for a required advance of \$3,861.00, plus \$100.00 per unit, and in addition, the County to provide all necessary rights of way, and cost of service entry equipment. The Commissioners examined the statement, but took no formal action with respect there to.

AGREEMENT

UP RAILROAD: A letter was received and considered from the Union Pacific Railroad Company, reminding the Commission that an Agreement submitted by them for execution during the month of April 1983, pertaining to the road right-of-way at Modena, had not as yet been completed and returned to them. Examination of the record indicating that cause for delay was occasioned by a proposal from the Railroad Company for a 25 year lease arrangement, which the Commissioners accepted but was later rescinded by the Company. Wherefore processing of the alternate agreement was overlooked. Accordingly, a motion was duly passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, authorizing Chairman James C, Robinson, to execute the subject agreement for and on behalf of Iron County.

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

APPROVED:



CHAIRMAN

ATTEST:



CLERK

REGULAR AUGUST 25TH, 1983, MEETING

Minutes of a regular meeting of the Board Of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, August 25th, 1983, beginning at the hour of 9:00 A. M.

OFFICERS ATTENDING WERE:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Louie P. Tong.

Minutes: Read and approved.

BID OPENING: The first matter of business, as scheduled, was the opening of bids received in response to the County's invitation to bid to furnish and install approximately 5,000 tons of central hot-plant mixed bituminous surface course and approximately 20 tons of bituminous tack coat associated therewith, upon 3.88 miles of the Escalante Silver Mine (REDCO) Road running from State Route No. 18 westerly to the Escalante Silver Mine, and upon 1.31 miles of McGarry Lane running from the Silver Mine Road north to State Route No. 56. The following bids were received:

R. A. Childs, Inc,	\$ 199,140.00
G. M. Aldred & Sons, Inc.	158,463.00
Engineers Estimate	162,000.00

After review, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, declaring the bid of G. M. Aldred and Sons to be lowest and best, and making the award to them.

SURPLUS WATER

CONTROL: Commissioner Cowan conducted a rather in depth discussion regarding problems generated or to be subsequently generated by the closure or eradication by one Jim Culbertson, of an old and well established drainage ditch. Any formal action was stayed, however, pending an on site investigation by the County Attorney, and receipt of his report. The subject ditch being located in the Midvalley area and its closure creating concern of a number of its citizens.

MONTE VISTA

NUMBER 2:

Jeanette Swinghome, a resident of Monte Vista No.

2, accompanied by Engineer Steve Creamer and an associate, met the Commissioners concerning problems related to the water-system in the said subdivision and to explore with them possible means of upgrading it. Among the possibilities suggested, with the advantages and disadvantages of each discussed, were the following:

- Creation of a special service district.
- Creation of a special improvement district.
- Creation of a water improvement district.

The delegation explained that there were 93 Lots in the Subdivision with 15 being occupied, and the total estimated cost of the project was \$270,000.00. The matter was thereupon tabled by the Commissioners for further investigation.

AGREEMENT

ALPINE RESORTS: Mr. James L. Shumate, Esq, again appeared for the purpose of attempting to obtain execution of the agreement by and between Iron County and Alpine Resorts Investments, a limited partnership. The Commissioners observing that they had heretofore under date of July 28th, 1983, approved the agreement subject to clarification of time, density, and clustering, and, furthermore, that the said items of reservation had now been cleared, authorized Chairman James C. Robinson to execute the Agreement for and on behalf of Iron County.

SUBDIVISION

IMPV-SECURITY: James L. Shumate, Esq, accompanied by Felix Kozal, Frank Kozal, Scott Bulloch, and Dan Robinson, met the Commissioners for purpose of (1) advising them that rules and regulations pertaining to security for installation of improvements by Developers of Subdivisions were, in their opinion, unworkable and why, and (2) to recommend alternate, in their opinion, workable methods which could be substituted by amendment to the Development Code. The proposed amendment and/or amendments were discussed in detail, a copy submitted to the County Attorney for study, and the delegation advised to make the same presentation to the County Planning Commission, following which the Commission agreed to give the matter further consideration upon receiving input from the Planning Commission.

INDIGENT

MEDICAL CLAIMS: Mr. Dick Morrill, of Valley View Medical Center, met the Commissioners for purpose of presenting Indigent Medical Claims accrued prior to May 1st, 1983, the date State Insurance coverage became effective. Eight claims were submitted, totaling some \$13,589.33. After discussion, the claims were approved for payment, subject however, to the possibility that Hill-Burton funds were available to cover some if not all of the claims. Commissioner Tong was of the opinion that such was the case, and Mr. Morrill agreed to investigate and report on his findings before a check would be issued.

COUNTY LAND

FILL: Commissioner Louie P. Tong reported to the Board that he had been contacted by Robert DeMill operator of the County Sanitary Land Fill with the following proposals:

1. That County equipment service the road to the land fill during the winter months.
2. That his contract or agreement be renewed for a five year period, subject to annual review.

Following a brief discussion, the whole matter was referred to Commissioner Tong, and County Attorney Scott Jay Thorley for study and a recommendation.

ROAD

DEDICATION: County Attorney, Scott Jay Thorley, made a report to the Commissioners on an opinion he rendered to the County Planning Commission, at their request, on the matter of dedication of property for roads in connection with Subdivisions. His review and recommendations were in written form to be placed on file. No formal action was taken with respect to the matter, and apparently none was necessary at this time. The purpose being to acquaint the Commissioners with the options open to them, and to advise them of the one he feels to be most advantageous to the County.

ROAD WIDTH : Consideration was given to amending the proposed Ordinance dealing with County Roads to bring it into conformity with road width provisions in the County Subdivision. After discussion it was concluded to leave the Ordinance as is, and make it subject to provisions of the Subdivision Ordinance where found to be applicable.

PRECINCT JUSTICE

SECRETARY: A letter was received from Margaret miller, Cedar Precinct Justice concerning the appointment, and salary rating of a Secretary for her Department. After the contents of the letter had been reviewed, it was referred to Chairman, James C. Robinson for response.

PERSONNEL STUDY: Chairman Robinson proposed to the Board that an effort be made to engage the services of the Utah Intergovernmental Personnel Agency to study personnel policy and pay scale for Iron County. The Board agreed that, if through negoation he could obtain the services for not to exceed \$2,000.00, they would support the move.

PUBLIC HEARING : At 1:00 P. M. as scheduled, a hearing was held on a proposed zone change from an A20 to an R2 for what is identified as the Kool Water Subdivision. After all were heard who wished to be heard, a motion was unanimously passed which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, approving the change, conforming to recommendation of the County Planning Commission.

REST HOME

BENSON PROPOSAL: Scott Jay Thorley, County Attorney, presented a proposal which he had assisted Clarence Junior Benson (who was present) in preparing for purchase of the County Rest Home. The said proposal was discussed briefly, and continued in order to permit the Commissioners to comply with previous action taken by them,-that of getting a County Ordinance in place, spelling out specific rules of procedure for the Board to follow in disposing of County surplus property, in conformance with current Law, before taking formal action on the matter.

SOUTHWEST

LIVESTOCK AS'N : Mr. Tom Williams, Thales Brown, Neil Boyter, and Brent Hunter, representing the Southwest Livestock Show Association, appeared seeking further financial support from Iron County for their annual livestock show. Claiming that they had not received as yet an annual contribution for years of 1982- 83.

County Auditor, Dennis Lowder, explained that no appropriation of funds was made for the year of 1980, and no payment was made. That he made two payments in 1982 of \$500.00 each covering 1981, and 1982. That no payment had yet been made for the year of

1983, but that funds had been appropriated and would be paid upon approval of the Commissioners. He was thereupon authorized to make the remittance.

The delegation then requested that funds be budgeted for the year of 1984 as follows:

General	500.00
Prize Money	1,000.00
Total 1984	<u>1,500.00</u>

The Commissioners gave them not positive, but reasonable assurance that such provision would be made in the 1984 Budget.

TRAVEL

AUTHORIZED: County Attorney, Scott Jay Thorley, requested and received authorization to attend a work shop for County Prosecutors to be held at New Orleans, Louisiana September 25th through 30th, 1983.

EQUALIZATION

DATES: At the request of the County Assessors Office, the Board established the dates for hearing of complaints and equalization of property assessments for 1983, as:

<u>DATE</u>	<u>TIME FRAME</u>
September 19th.	9:00 A. M. to 12:00 Noon 1:00 P. M. to 4:00 P. M.
September 21st.	9:00 A. M. to 12:00 Noon 1:00 P. M. to 4:00 P. M.
September 22nd.	1:00 P. M. to 4:00 P. M.

GRAVEL PIT

LEASE: The lease agreement by and between Iron County and Steve Applegate of Parowan, covering the gravel pit owned by Iron County and located adjacent to the north-easterly portion of Parowan City, was reviewed by the Board, and authorization given for assigning Chad Nay, County Building Inspector, and Lynn Fiack, County Road Supervisor, to monitor activities at the pit in order that a determination may be made as to whether or not all terms of the agreement are being complied with.

ROAD OPENING: A billing was received from the U. D. O. T. covering services performed by them in connection with the opening of the Cedar Breaks-Panguitch Lake Road. The Commissioners acknowledged having agreed to accept the service and accordingly approved the claim for payment. (\$2,000.00)

LEASE & OPTION

RICHARDSON BLDG: The Lease with option to purchase agreement by and between Iron County and L. S. L. Medical, Inc, now having been amended to the point of satisfaction to both parties, was, in accordance with authorization given at the prior Commissioners meeting, executed by Chairman James C. Robinson, and subsequently by the appropriate official of the L. S. L. Medical, Inc., the tender of the initial consideration made, and a copy of the Agreement placed on file and made a part of the record by reference.

UTAH POWER

RESOLUTION: Mr. Gayle Adams of Cedar City, representing Utah Power and Light Company, appeared concerning a resolution previously presented to the Commissioners for their approval and execution. After discussion, it was agreed that Mr. Adams would present the Board with a fact sheet for their study and information. The matter to be back on the agenda for the next regular meeting of the Commission.

PEDESTRIANS

ON FREEWAY; County Attorney, Scott Jay Thorley, presented for consideration of the Board, copy of a letter which had been written to Precinct Justice, Kenneth Adams, by J. Phillip Eves, Esq, wherein he advised Judge Adams that Pedestrians on the Freeway in Iron County could not be prosecuted due to lack of action on the part of some public body. Just what or which public body was not made absolutely clear. County Attorney Thorley brought the matter before the Commissioners for the reason that his first impression was that it was their responsibility to act. However, upon surfacing of the ambiguity, the matter was continued pending clarification of what specific action was needed and by whom.

GARBAGE CENSUS: The question of how to obtain a more complete, and a more accurate listing of recipients of Garbage Pickup Service, for which Iron County is under contract to D. and O. Sanitation, was discussed at some length. Out of the suggestions presented, the Commissioners settled on the idea, at least as a temporary measure, of arranging for a person to ride the route with the Pickup Service Truck, and seek to obtain the names and addresses of all residents receiving service, unless implementing of the idea proves it to be impractical.

SUPERVISOR

BERYL FIRE HOUSE: Scott Jay Thorley, County Attorney, reported that he had investigated the possibility of working out an Agreement with Erwin Truman as Supervisor of construction of the Beryl Fire Station, and that during the course of his review, John S. Rowley, Architect for the project, recommended that the matter simply be handled by Purchase Order. Accordingly, a Purchase Order for the sum of \$10,000.00 for Supervisory services was approved and executed by Chairman Robinson.

EXTENSION OF TIME: Through Cedar City Manager, Joe Melling, an indirect request was made of the Commissioners that an extension of time to November 1st, 1983, be accorded Ila G. Corry within which to make settlement of the account due Iron County by virtue of a property exchange. The report being that if Iron County presses for settlement at this time, the property being exchanged by Iron County will have to be sold to meet payment, and Cedar City dislikes its being sold at this time due to an indirect if not a direct potential subsequent interest in the subject premises which is apparently not ascertainable now. After discussion the board made a determination that none of its members had any objection to the extension being granted, and it was accordingly approved.

STATE DETENTION

AGREEMENT: County Attorney, Scott Jay Thorley, reported that he had had an opportunity to review the proposed Agreement by and between Iron County and the State Department of Social Services covering Youth Detention for the next fiscal period and find nothing objectionable. A motion was thereupon passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, approving the said agreement and authorizing Chairman, James C. Robinson, to execute the same for and on behalf of Iron County.

BOOKING FEE : A proposal to increase the Fee to be charged by the Sheriffs Department for booking of other than County prisoners to \$10.00, met the approval of the County Commissioners, but the Order was to be submitted to Sheriff Ira Schoppman for execution.

RENTAL MEDICAL

CLINIC: A report was made to the Board that the Medical Firm occupying space on second floor of County Courthouse had refused to pay rental charges covering the period from February

15th, 1983, to September 1st, 1983 on the grounds that they received no formal notice that they were going to be required to do so, and that Parowan City was doing so. While as a matter of fact, even though Parowan City and/or other persons directly related had at one time agreed to assume the obligation, they had served written notice on Iron County that they were terminating their obligation as of the said date of February 15th, 1983. The Commissioners, acknowledging that perhaps there was a lack of formal communication, but primarily in the interest of the Citizens of the Community, waived the argumentative period with the stipulation that the Firm pay the rental fee of \$170. in advance beginning with September 1st, 1983.

FIDDLERS

PROPERTY: Scott Jay Thorley, County Attorney, reported to the Board that his investigation of the possibility of the Fiddlers Canyon property purchase having included property improvements, had come up negative thus far.

VOTING PROXY : The Commissioners briefly considered a request from the National Association of Counties for virtually a blank voting proxy from Iron County, as near as could be determined, for use at their option. . It was concluded that more information should be obtained from the State Association before any action is taken.

FEES RIGHT-OF

WAY ENCROACH: The Boards attention was called to the fact that their had been some fees for right-of-way encroachment that had not as yet been claimed or refunded. It was determined that an investigation should be made to ascertain as to whether or not justification existed for the County retaining the fees for failure of the Payor to make proper and adequate repair to the road surface, or if the work had been properly done and the parties entitled to their refund, but such fact not reported to the disbursing Officer.

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

APPROVED:

ATTEST:

Oliver Hulek
Clerk

Ames E. Robinson
Chairman

REGULAR SEPTEMBER 8th, 1983, MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners held in Commission Chambers at the Courthouse, Parowan, Utah, September 8th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Carma S. Hulet, Deputy Clerk
Sherrie Lamb, Attorney's secretary

Invocation: Dee G. Cowan

Minutes approved as read.

POWER

RESOLUTION : A resolution submitted by Utah Power and Light Company, and held over from the previous meeting, through which the said Company sought an expression of support from the Board for their efforts to obtain low-cost Federal hydroelectric power for distribution to the residents of Iron County, was again called on for consideration. After discussion, a motion, once amended, which was made by Commissioner Louie P. Tong and seconded by Chairman James C. Robinson, providing that the Board decline to take a position in the matter, was passed on a two to one basis. Commissioner Tong and Chairman Robinson voting for the motion, and Commissioner Cowan abstaining.

SANITARY
LANDFILL

: Mr. Robert DeMille, under contract with Iron County, for operation of the Iron County Sanitary Land Fill, appeared seeking modification to his contract with Iron County as related to this service. County Attorney, Scott Jay Thorley, agreed that there existed room for negotiated adjustments for a two year period, but under terms of the agreement, it could not encompass a five year period as Mr. DeMille desired.

Mr. DeMille outlined briefly the changes which he believed should be made. Whereupon, assignments were made to Commissioner Louie P. Tong and County Attorney, Scott Jay Thorley, to meet with Mr. DeMille in an effort to negotiate amendments to the existing agreement consistent with provision of the agreement, and acceptable to both parties. The results of their negotiations to be submitted to the Board for approval or rejection.

CONSTANCE
TATUM

: Mrs. Constance Tatum met the Commissioners in an effort to convince them that she was not financially capable of reimbursing Iron County for funds advanced to cover certain medical expenses incurred by her. Following the interview, the Commissioners were still not persuaded as to her Indigency, but agreed to hold off the filing of an action for thirty days to see if and what arrangement may be made for settlement.

HOME
HEALTH

: Maree Prince, Home Health Care Nurse, appeared for purpose of consultation with the Board concerning the proffer of Valley View Medical Center to take over the Home Health Care Program.

Based primarily on the presentation of Mrs. Prince, the Commissioners favored letting the Home Health Program remain status quo.

GARBAGE
PICK-UP

: Mr. Sherman Dalton, under contract with Iron County for garbage pick-up service, appeared for purpose of requesting that fees for pick-up service be increased \$1.00 per month per household, to cover increase in costs of operation. After a rather general review of the program, more especially problems of administration, etc., the request was tabled for study. If approved the increase would possibly become effective October 1st, 1983. Discussion was also had on possible means of obtaining an accurate listing of families being served.

ANNOUNCEMENT

: Announcement was made that the Commissioners were scheduled to meet with Mr. Don Blanchard, at the Chamber of Commerce Building in Cedar City September 15th, 1983, at 9:00 A.M. The meeting will be concerned with the Highway Patrol's participation, if any, in the proposed new jail building.

CULBERTSON
DITCH MATTER

: The Commissioners gave some consideration to County Attorney, Scott Jay Thorley's report on the Culbertson drainage ditch closure matter. No decisions were


reached, however, but the report did form a basis for consideration of the overall Flood Control problem, and the County's involvement, if any.

ORDINANCE
SALE SURPLUS : Scott Jay Thorley, County Attorney, presented a draft of an Ordinance designed to establish a formal procedure for the sale or otherwise disposal of County property. No formal action was taken, however.

TAX
MATTER : Mr. Steve Grimshaw, County Assessor, requested and received authorization to refund the sum of \$29.33 to Arthur Sullivan of New Castle to cover a double payment of taxes on a Truck for 1983.

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

APPROVED:


Chairman

ATTEST:


Clerk



REGULAR SEPTEMBER 22nd, 1983 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in Commission Chambers at the Courthouse, Parowan, Utah, September 22nd, 1983, beginning at the hour of 9:00 A.M.

Officers in attendance were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Clair Hulet

Minutes approved as read.

ROAD

MATTER

: Mr. Kenneth Clark of Kanarraville, appeared concerning a road matter dealing with or related to access to property owned and operated by Clark Brothers in the Black Mountain area. His proposal was for changing the location of the road leaving U56 to the right at what is locally known as the Sand Cuts, in such manner as to better serve the public, Clark Brothers, and others. Explaining that the Forest Service was understood to be interested and willing to cooperate in the matter, and that Clark Brothers would assume all costs from point their private road leaves the public facility. Mr. Clark was advised that the matter would be accepted for study, that they, the Commissioners, had no objection to him proceeding with the matter of obtaining a permit from the Forest Service, but that no further action would be taken at this time. In fact, that the proposed project may need be programmed over a two or three year period, even if all necessary prearrangements can be worked out.

BOOK

MOBILE

: Mr. Paul Butters and an associate, representing the Utah State Library Board, made their annual visit to report on their past years activities, and solicit participation in the Bookmobile program by Iron County for the Calendar year 1984. After review, the Board authorized Chairman, James C. Robinson, to execute a letter of intent to continue with the program and to budget the sum of \$11,418.00 for the aforesaid fiscal period.

ROAD WIDTH
ORDINANCE

: Scott Jay Thorley, County Attorney, presented an Ordinance which he had prepared dealing with a standard width for County Road rights-of-way. The Commissioners, having heretofore reviewed provisions of the Ordinance and finding no objections, passed a motion unanimously, approving the said Ordinance and authorizing its publication.

BRIDGE
MATTER

: Due to concern, the Commissioners expressed least a bridge, recently constructed by the Utah Department of Transportation, over a portion of the Coal Creek drainage known as the Bulldog-Airport Road, might become obstructed by debris and cause water damage, a letter was directed to be issued to the said Department reminding them of their responsibility to keep the structure clean.

BUSINESS
LICENSE

: The application of Dick Hildebrand for a license to establish and operate a nursery at New Castle, was considered, and upon passage of a motion made by Commissioner Louie P. Tong and seconded by Commissioner Dee G. Cowan, was approved.

LAND PURCHASE : Scott Jay Thorley, County Attorney, presented a proposed agreement to lease, and an agreement to purchase land by Iron County from Utah International. Upon review, the Commissioners, finding themselves not in full agreement with the proposal, authorized Mr. Thorley to redraft the agreement consistent with their wishes in the matter, and submit to Counsel for Utah International for their approval or rejection. In case of rejection, the matter to be re-negotiated.

COUNTY
PROPERTY

: Mr. Thorley also presented the first draft of an Ordinance to regulate the disposition of surplus County property. After a brief review, the Board concluded to review all documents related to the matter and recommend modification, if any.

STATE TAX
COMMISSION
SALES TAX

: Consideration was given to another demand
by the Utah State Tax Commission for payment
by Iron County of sales taxes they claim to be due on County Fair
receipts. It was concluded that County Attorney, Scott Jay Thorley,
should contact Counsel for the Tax Commission, and explain to him
the reasons the Iron County Commissioners feel they are not liable
for the tax and their justification for a conclusion not to pay.
The thought being that he (Counsel for the Commission) might be
more able to clarify the County's position with rank and file
Tax Commission personnel, even though he might not concur.

PROFFER TO
PURCHASE

: Mr. Jake W. Dieleman, again presented his
proffer to purchase land from Iron County
described as the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 36 South, Range
10 West, SLB&M. His previous proffer having been rejected for the
cause and reason that the sum of \$8,300.00 was less than the minimum
value the Commissioners had placed on the property. His reoffer
was considered and tabled pending a report from the County Road
Supervisor related to a gravel deposit on the property, and its
effect, if any, upon the sale.

GARBAGE
CLAIMS

: A number of persons applied for waiver of
claims levied against them, through their
tax notices, for delinquent garbage pickup service fees. The
persons applying and action taken on their applications, were as
follows:

- 1 - George Clinch, assertedly living outside service district.
Approved.
- 2 - Mike Slack, owns land in garbage service district but no
residence located thereon. Approved.
- 3 - Charles C. Walker, Assessed twice. Same bill attached to
each tract of land he owns in district. (2) One item to
be cancelled. Waiver of other, denied.
- 4 - Rodney R. Batt, claims service not available in area
where he resides. Claims to be verified by Sherman
Dalton, and if found to be correct, attachment to be
cancelled.

- 5 - Dennis Bronsema, 2532 West 3345 North, Cedar City.
Not in service district, cancelled.
- 6 - Leslie Leonard Horris and David A. Marsh, each
claim is for same residence. To be checked out
and if found to be factual, cancelled.

GARBAGE
PICK-UP FEE : The request of D and O Sanitation for an
increase of \$1.00 garbage pickup service
fee per month, was called on and continued to next Commissioners
meeting.

TRAVEL
AUTHORIZED : The Commissioners passed a motion, which
was made by Commissioner Dee G. Cowan and
seconded by Commissioner Louie P. Tong, authorizing attendance
of the Commissioners at a Commissioner work shop, scheduled for
October 13th and 14th, 1983, at Provo, Utah. Regular Commission
meeting for that date to be cancelled.

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

APPROVED:

Ames C. Robinson
Chairman

ATTEST:

Oliver Heeler
Clerk

REGULAR OCTOBER 27th, 1983 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in the Commission Chambers at the Courthouse, Parowan, Utah, October 27th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Dee G. Cowan.

Minutes read and approved.

CRIMINAL JUSTICE
RESOURCE CENTER

: As the first matter of business, the Commissioners entertained a delegation comprised of the following persons representing the State Board of Corrections:

Don Blanchard
John Graff
Alan Keller

The delegation appeared for purpose of furthering the interest of the State of Utah in location of a Criminal Justice Resource Center in Iron County, preferable as a joint facility with the proposed new County Jail. A rather in-depth discussion ensued, resulting in a motion being duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Chairman James C. Robinson, authorizing the issuance of a letter to the State Department of Corrections, advising them, in substance, that the Board of Iron County Commissioners are convinced that considerable benefits would accrue to Iron County from either a joint or separate facility, and that they endorse the State proceeding with the business of purchasing a site at Fiddlers Canyon. Furthermore, if this site becomes impossible to negotiate, that they will help the Board of Corrections to find another suitable site within the County. Commissioner Louie P. Tong was absent at the moment and not voting.

LAND FILL : The Commissioners received and reviewed a report from Platt and Platt Engineers reflecting the results of their cross-sectioning of the County land fill for period from April 15th, to October 15th, 1983. They took satisfaction from the fact that estimates were well within reason.

INDIGENT MEDICAL SERVICES : Mr. Dick Morrill, representing Valley View Medical Center, appeared for purpose of presenting claims against the County for Indigent Medical services rendered. The bills were examined, discussed, and tabled pending results of subsequent consultation, either oral or written as between the parties related directly or indirectly to indigent billings. Scott Jay Thorley, County Attorney, to formulate the contents of the communication, by and with the assistance of Commissioner Louie P. Tong.

ZONING MATTER : By and through Commissioner, Dee G. Cowan and County Attorney, Scott Jay Thorley, Boyd Christensen of New Castle presented a concern which he has related to zoning of a parcel of some ten acres of land in the New Castle area. County Attorney, Thorley, was requested to advise Mr. Christensen that he should follow standard procedure in obtaining the desired zone changes.

MINI BOTTLES LIQUOR LICENSE : Mr. Rex Emenegger, appeared before the Board for purpose of obtaining their approval and execution of a statement of "no objection" to the transfer and/or issuance of a Mini Bottle Liquor Store license at Milt's Stage Stop in Cedar Canyon. It being understood that such a license presently exists for the Business in the name of Rex Emenegger, whereas the present operator is Russel M. Aiken. Hence the element of transfer.

After review, the request was granted and Chairman James C. Robinson authorized to execute the statement for and on behalf of Iron County, subject to no serious objections by Sheriff Ira Schoppmann.

TAX MATTER : Mr. Steve Grimshaw, County Assessor, appeared for purpose of presenting and discussing with the Board, the application of the Cedar City Elks Lodge for exemption from property tax liability, on basis of their claim that they are not a taxable entity. After review, Assessor Grimshaw was directed to investigate and possibly allow a partial waiver.

ZONING HEARINGS : At 11:00 P.M. as scheduled, with due and proper notice thereon given two hearings were conducted on requested and County Planning Commission recommended zoning changes.

- 1 - That of Ed Pitchford, who's application sought a change from an A20 to an R2, covering a designated area in Section 21, Township 34 So., Range 9 West, SLB&M.

On motion of Commissioner Dee G. Cowan, duly seconded by Commissioner Louie P. Tong, with all Commissioners voting in the affirmative, the change was authorized subject to review by the County Planning Commission after three (3) years.

- 2 - That of Alan DeMille, who's application requested and the County Planning Commission approved a change covering some ten acres of land in the vicinity of the Old Cedar City Land Fill, from A20 to an M2.

There being no objections, a motion of approval was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong.

BRIAN HEAD FIRE DEPARTMENT : Mr. Steve Williams, Manager, and Steve Lutz, Fire Chief, of Brian Head, appeared for purpose of requesting an allocation of funds for their Fire Department in the County 1984 Budget. Based on their presentation, they were seeking an appropriation of some \$10,000.00.

The Commissioners agreed to provide an appropriation in, at this point, an undetermined amount. Same to be based on a percentage applicable to their overall Fire Department budget determined by the ratio County runs bear to total runs for the previous annual period. Steve Lutz to prepare the verified report.

They discussed a number of other mutual problems, but none requiring or receiving action at this time.

The matter of establishment and execution of a cooperative Fire Assistance Agreement was mentioned, and referred to County Attorney, Scott Jay Thorley for the furnishing to them of copies of existing agreements with other entities for their examination and study.

COMPUTER : Steve Grimshaw, County Assessor, and Dennis Lowder, County Auditor, met the Commissioners again with respect to their position that the present computer system is inadequate for the County's need, that a new and larger capacity system should be acquired and preferably by purchase.

After review of lease versus purchase, and probable payment options, the Board authorized Mr. Grimshaw to obtain more definite and complete negotiated purchase and related costs in dollar amount and report.

HOLIDAY : An application was made by certain County employees for permission to take the day after Thanksgiving off in lieu of one or another of the lesser Holidays. The Board gave serious consideration to the matter, and based on their analysis and possible lack of authority to create Holidays, (Holidays are set by statutes) denied the request. They did feel, however, that no problem would arise if offices were kept open with less than full staff.

GARBAGE BILLINGS : A number of requests were submitted by residents within the garbage service district for relief from payment of the service fee and for various reasons.

- 1 - Julie Powell, for reason that she works at the land fill and can handle her own garbage as she goes to work. Request denied on grounds she is a resident of the District wherein the service is available, and all so located are expected to pay. Furthermore, she benefits from the service as an employee.

- 2 - Bob Barney, for reason truck does not service his area. Request granted, pending arrangement for pickup service to his immediate vicinity.
- 3 - Rodney R. Batt, on grounds garbage trucks do not service his location. Request granted upon verification by pickup service contractors.
- 4 - Robert Thomson, on grounds they do not want the service or charges levied for it. Denied on grounds they have occupied the residence titled to Deward Z. Jones for the past two years and the services have and are available to them.

SHREVE -VS-
IRON COUNTY

: Scott Jay Thorley, County Attorney,
discussed with the Commissioners the present proposal to settle out of Court, the case of Sheldon Lynn Shreve -vs- Iron County. Explaining that in view of costs involved in litigating the matter and other pertinent factors, he would recommend settlement. The costs to Iron County being \$1,500.00. Based on his representation, the Commissioners agreed and authorized him to settle the matter.

FACTORING
LITIGATION

: County Attorney, Thorley, also discussed with the Board the possibility of litigation arising out of failure on the part of Iron County to comply with the State Tax Commissions directive to raise property assessments in Iron County on percentage levels established by them. In this connection he requested an appropriation of \$1,500.00 as Iron County's proportionate share of costs involved to join with four other counties, under like circumstances, in obtaining defense Counsel. The appropriation was considered and granted.

AMBULANCE
AGREEMENT

: Scott Jay Thorley, County Attorney,
discussed with the Board the proposed agreement by and between Iron County and the Valley View Medical Center covering Ambulance service. After review, a motion was unanimously passed which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, approving the agreement as now written, subject to the releasing to Iron County of one half of the reserve.

INDUSTRIAL DEVELOPMENT : Another proposed agreement to be considered, was a private contractor agreement by and between Iron County and Ron Bigelow for Industrial Development Services. County Attorney, Scott Jay Thorley, had a rough draft of an agreement prepared which appeared to be acceptable to the Board, but there seemed to be some negotiation advisable with respect to fee, etc. Accordingly, Commissioner Louie P. Tong was authorized to work with County Attorney, Thorley, in working out the remaining details and to thereupon execute the agreement.

TRANSIENT ROOM TAX : At the request of the Commissioners, the County Attorney researched the Law and wrote an opinion to them as for what purposes he believed Transient room tax revenues could be expended for. The opinion was presented, reviewed, and ordered placed on file for use as occasion may require.

SALES TAX COUNTY FAIR : Scott Jay Thorley, County Attorney, again brought up the case of sales tax demand by the State Tax Commission on gate receipts for entertainment events at the County Fair, and asked for Counsel on procedure in the matter. The Board suggested that he contact the State Association of County Fair Boards and obtain information on how other County Fairs are handling the matter.

PUBLIC DEFENDER : The Commissioners were also advised by Mr. Thorley that he had called for bids for the public Defenders position for the next year (1984), and proffers should be received for consideration at an early date.

TAX MATTER : A letter was received from SUSC requesting waiver of taxes levied against Lot 12, Block 3, Bramblewood Subdivision, for 1983, since they are considered to be a tax exempt institution. The

matter was considered, and on motion unanimously passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, tax waiver was granted.

CONTRIBUTION
VALLEY VIEW : A letter was received from Valley View Medical Center requesting a significant donation from Iron County toward their fund raising program for monitors.

Matter was tabled pending results concerning other matters pending with the applicants.

PROPERTY
SALE : As a result of Jake Dieleman's proffer to allow the County free access to grovel on premises described as the SW4SE4 of Section 21, Township 36 South, Range 10 West, SLM in event the County accepts his offer to purchase, a motion was duly passed, which was made by Commissioner Louie P. Tong, and seconded by Chairman James C. Robinson, authorizing sale of the property as described to the said Jake Dieleman for sum previously submitted.

TAX
MATTER : James L. Shumate, Esq., for and on behalf of clients of his, made a demand for refund for period running from 1966 to date of tax paid on property which they do and did not own. The letter and copy of current tax notice was referred to the County Attorney for reply.


FINE ARTS
GALLERY : A request was submitted from the Braithwaite Fine Arts Gallery for a substantial contribution from Iron County in support of their program. Authorization was given for a contribution consistent with funds budgeted for this purpose.

DETENTION
CENTER : A memorandum agreement between Iron County and Youth Detention Services was presented for approval and execution. The approval and execution of the agreement was continued to afford the County Attorney time to review the agreement and make his recommendation.

Chairman James C. Robinson was authorized to execute the agreement for and on behalf of Iron County upon the County Attorney's "OK."

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

APPROVED:


Chairman

ATTEST:


Clerk

REGULAR NOVEMBER 10th, 1983 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in the Commission Chambers at the Courthouse, Parowan, Utah, November 10th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Scott Jay Thorley.

Minutes approved as read.

CHRISTMAS
DECORATIONS

: As the first matter of business, the Commissioners listened to the request of Karen Boardman, of Parowan, for authorization to install the Christmas decorations for the year 1983 at the Iron County Courthouse. After a brief discussion, on motion of Commissioner Louie P. Tong, duly seconded by Commissioner Dee G. Cowan, with all Commissioners voting in the affirmative, such authorization was given. The package, as presented, to cost the total sum of \$160.00.

BROTHER-SISTER
PROGRAM

: Linda Kudlik, accompanied by James L. Clark, appeared for the purpose of attempting to convince the Board that they should appropriate the sum of \$500.00 to be applied toward payment of expenses associated with the County Big Brothers and Big Sisters Program of which Linda Kudlik, is director and/or sponsor. After the Commissioners had listened to a report on the purpose and objective of the program as well as its success thus far in the County, a motion was duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, granting the request. It being stipulated, however, that in as much as this is basically a volunteer program, none of the funds so appropriated may be paid out for services, but only for functional expenses such as stationary, telephone costs, etc. It being self-evident that the possibility exists for this program to mushroom into a fully funded program unless safeguards are set up to prevent such an occurrence.

Flood damage, and potential flood damage came on for its share of consideration, resulting in Commissioner Dee G. Cowan, being delegated to head up a seven member Flood study committee, to make a study of the total flood problems in Iron County, and make recommendations for solutions, and the establishment of responsibility. It being further suggested that the Iron County Planning Commission should also be involved in the study and recommendations.

Bryner Wood, member of the delegation, reported that construction at the Beryl Fire Department was going well.

BLOOD ALCOHOL TESTS : Scott Jay Thorley, County Attorney, reported to the Board that, in the past, Valley View Medical Center, had been handling blood tests on D.U.I.'s for free, but that they now announce that they contemplate requiring a fee of \$20.00 each. The Commissioners found themselves with no objection, but suggested that the matter be incorporated into a contemplated agreement by and between Iron County and Valley View Medical Center related to other matters.

The Board recommended payment of the adjusted Indigent Medical Services bill to Valley View Medical Center with excpetion of the one listed to Isom, which they believe qualifies for Medicare. Matter of donation to be held.

FAIR SALES TAX : County Attorney Thorley also reported that, based on his study of the claims filed by the Utah State Tax Commission against Iron County for uncollected admission taxes at the Iron County Fair, he was now recommending settlement. Accordingly, the Board authorized payment under protest.

INDUSTRIAL DEVELOPMENT : The proposed employment agreement with Ron Bigelow as Industrial Development Director for Iron County, was again put on hold pending a meeting with Mr. Bigelow. Commissioner Louie P. Tong to arrange.

DETENTION : A memorandum agreement between Iron County and the State Social Service Department, Youth Corrective Division, was approved and executed.

TAX MATTER : Mr. Harry B. Leigh, of Cedar City, by letter, advised the Board that he had sold his home to Cedar City Corporation, and was submitting \$122.25 as taxes due for period of year while in his possession. He wished this action to relieve him of any further liability in the matter.

The Commissioners found the proposed settlement to be fair and reasonable and authorized the County Treasurer to accept the proffer. Any further tax liability would rest with Cedar City.

FIRE EQUIPMENT : Mr. Reed Bowen, of New Castle appeared accompanied by Dave Bentley, Cedar City Fire Chief, for purpose of complaining of the Fire Equipment stationed at New Castle, and requesting the appropriation of funds adequate to obtain a good used unit. Mr. Bowen indicating that he knew where such a unit was and would like authorization to purchase. Considerable discussion ensued with respect to the matter, but further action to await consideration of the tentative 1984 budget.

DEPUTY ATTORNEY : County Attorney, Scott Jay Thorley, discussed with the Commissioners the need for a Deputy County Attorney. Requesting that, in addition to budgeting for the regular functions of his Department that some \$21,000.00 be provided for this purpose. Also, \$2,200.00 for subscription to the Pacific Digest. These items to be considered by the Commissioners during preparation of the 1984 tentative budget.

BUDGET
CONSIDERATION

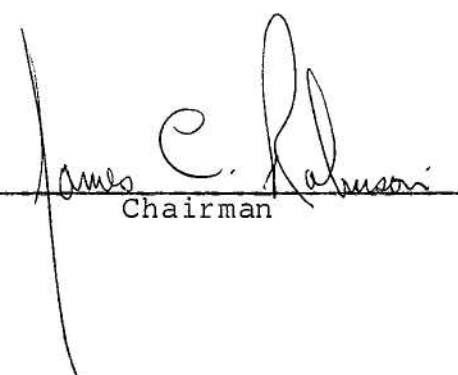
: The total afternoon was devoted to hearing Department Heads, and others on their 1984 budget requests. Since these hearings were solely for the purpose of gathering information to be weighed, for whatever weight it may have, by the Board in setting up a tentative 1984 budget, no formal action was taken at this time.

TRAVEL
AUTHORIZED


: The Commissioners were authorized to attend a project Bold meeting in Richfield, November 18th, 1983.

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

APPROVED:


Chairman

ATTEST:


Clerk



REGULAR NOVEMBER 23rd, 1983 MEETING

Minutes of a regular meeting of the Board of Iron County Commissioners, held in the Commission Chambers at the Courthouse, Parowan, Utah, November 23rd, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: James C. Robinson

Minutes approved as read.

DEPUTY COUNTY ATTORNEY : Scott Jay Thorley, County Attorney, and Deputy County Attorney, J. Philip Eves, met the Commissioners for purpose of attempting to convince them, by a report on activities of the Department for the past fiscal period, that the position of Deputy County Attorney should be expanded, and the 1984 budget for the County Attorney's Department be increased to provide funds to compensate for the additional services contemplated to be provided upon approval of the proposal. The Commissioners, after a general review, continued the matter for subsequent consideration as a budget item.

PAROWAN CITY RACE TRACK : Mr. Larry Pendleton, and Carolyn Ray, of Parowan, appeared for the purpose of soliciting financial support from Iron County for contemplated improvements at the Parowan City Race Track and Rodea Arena. Explaining that plans were being laid for improvement of rest room facilities, and the construction of concession facilities, at an estimated cost of some \$22,000.00, plus labor. After discussion, the delegates were advised that their request would be considered and acted upon during preparations of the 1984 tentative budget.

PARAGONAH FIRE DEPARTMENT : Mr. Royce Barton, Fire Chief for Paragonah Town, met the Board for purpose of selling the idea that they, the Board of Iron County Commissioners, should be most liberal with the Paragonah Fire Department in their allocation

of funds to be budgeted for Fire Control purpose for 1984. Asserting that 85% of runs made by the Department during the past five years had been outside the limits of Paragonah Town. Mr. Barton was advised that his request would be reviewed and an appropriation made consistent with available funds, etc., for 1984, and that they, the Commissioners, would insist on being represented at time subsequent budgets are prepared by the Department.

AMBULANCE
SERVICE

: Mr. Barton also reported that Iron County was in need of, and he accordingly wished to be authorized to purchase a new County Ambulance. Explaining that, based on his investigation to date, cost would be in the area of \$35,000.00. After a rather lengthy discussion, he was authorized to complete his investigation and report. He further informed the Board that in order to obtain price quoted, commitment would have to be made by December 31st, 1983.

TAX
MATTER

: Steve Grimshaw, County Assessor, accompanied by Joe Lopour and Dave Dischbein, of the Cedar City Elks Lodge, appeared for purpose of exploring with the Commissioners the possibility of obtaining some degree of relief in connection with general property taxes levied against property owned by the Lodge, for 1983. County Assessor Grimshaw explained his position relative to the matter which in sum and substance was to the effect that he believed he could justify a 35% reduction on basis of use of the Lodge for charitable purposes. After review, on motion duly passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, the County Assessor's recommendation was adopted, and the 35% adjustment downward was authorized. The County Assessor to provide details.

ROAD

MATTER

: Mr. David Burton, and Frank Burton,
livestock growers of Parowan, appeared for purpose of urging the County Commissioners to promptly provide improvements to the Parowan Gap road. Explaining its importance, and their charge of "lack of attention." A lengthy discussion ensued, resulting in the Commissioners acknowledgment of the roads poor state of repair, and their assurance that it presently has a good priority listing, and that at least something will be done at an early date toward providing an acceptable gravel road base. The Burton's were petitioning for immediate completion of the road to, and including, hard surface.

PUBLIC

DEFENDER

: Scott Jay Thorley, County Attorney,
presented for the Board's consideration, bids received in response to his invitation to Attorneys to bid for the furnishing of Public Defender's Services to Iron County for 1984. Bids were as follows:

James L. Shumate, Esq.	\$15,000.00
V. Lowery Snow, Esq.	32,000.00
Gunn B. McKay, Esq.	50,000.00
Shumate & Eves (plus \$500.00 for appeals)	21,000.00
Alan D. Boyack, Esq.	16,800.00
R. Clayton Huntsman, Esq.	28,450.00
John S. Miles, Esq.	22,800.00

After review, on motion unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, the proffer of James L. Shumate, Esq., was accepted as lowest and best.

SALE

REST HOME

: Mr. Thorley, also discussed with the Commissioners matters related to a contemplated sale of the Iron County Rest Home to Clarence Benson, Jr. More particularly with respect to terms of the sales agreement. After discussion, it was determined to first perfect the Ordinance covering procedure for sale of County property, if this has not already been accomplished, approve a preliminary draft of an agreement for sale, and then call Mr. Benson in for his approval, Amendment or rejection.

INDUSTRIAL
DEVELOPMENT

: A proposed contract with Mr. Ron Bigelow, as a part-time Iron County Industrial Development Director, was also discussed with County Attorney, Scott Jay Thorley. In as much as it appeared that there existed some question at this time as to whether or not Mr. Bigelow intends to accept the assignment, a motion was duly passed, which was made by Commissioner, Louie P. Tong, and seconded by Commissioner, Dee G. Cowan, providing that Mr. Bigelow be paid for services already performed or that he may subsequently perform at an annual rate of \$11,500.00 per year, and that the matter of an employment agreement be continued.

LAND FILL
AGREEMENT

: A draft of a proposed agreement for renewing the contract with Robert DeMille, et al., for County Sanitary Land Fill Services, was called on for consideration. After examination, a motion was unanimously passed, which was made by Commissioner, Dee G. Cowan, and seconded by Commissioner, Louie P. Tong, approving the agreement and authorizing Chairman, James C. Robinson, to execute the same for and on behalf of Iron County.

S.U.S.C. LAND
EXCHANGE

: Means, time, and plan for settlement of amount due S.U.S.C. from Iron County as a result of a recent land and/or property exchange, was discussed at some length. As a result of the said discussion, a motion was passed, which was made by Commissioner, Louie P. Tong, and seconded by Commissioner, Dee G. Cowan, providing that the proceeds from the recent sale of land in the Milts Stage Stop area (\$8,300.00) be remitted to S.U.S.C. together with the assurance that the remainder will be paid on or before December 27th, 1984. Chairman Robinson abstained from voting.

TAX
MATTERS

: Taxes levied on property listed under Serial Number A-66 for the year of 1983 were cancelled for the cause and reason that the property was purchased by Kanarra Town, a tax exempt entity, during the year of 1982.

A letter was presented for the Boards consideration by Commissioner Louie P. Tong, which he had received from Jerry and Barbara Campbell concerning a garbage billing attached to their property as an addition to taxes for 1983. The billing was in the amount of \$115.00 (\$60.00 for 1981, and \$55.00 for 1982). In as much as it was their contention that they first occupied the property January 1st, 1982, the Board took action necessary to waive the 1981 assessment, thus leaving an attachment of \$55.00 covering the 1982 levy. Serial No. D-623-6, Account No. 0136314.

WATER USERS

FEE : Mr. Clemont Adams, of Cedar City, appeared informally concerning Iron County's appropriation of funds to cover their annual membership fee of \$1,000.00 to the State Water Users Association. The Commissioners agreed to review the matter and take such action as would seem to them to be appropriate.

FIRE

EQUIPMENT : The Commissioners recalled for consideration the petition of Escalante Valley, and New Castle for Fire Equipment, presented at the previous meeting. After due deliberation, they concluded, as a tentative measure, to appropriate for the purpose, the sum of \$4,600.00 to New Castle and \$3,400.00 for Escalante Valley. The petitioners to be so advised.

ITEMS

ON HOLD : Two items were placed on hold pending firming up of policy, etc. They included a billing of \$1,000.00 as bonus to the Building Inspector, Chad Nay, and a request for step increase for Sheriff's secretary, Lydia Austin.

TRANSIENT

ROOM TAX : Some brief discussion was had relative to the possibility of using funds collected through the County Transient Room Tax to fund activities related to the Iron County Fair. Based on his investigation, Commissioner Tong, at least, was convinced that such a use was legitimate. However, firm action on the matter was continued pending further study. Tentatively, such action seemed to meet with favor.

FOREST
PRODUCTS

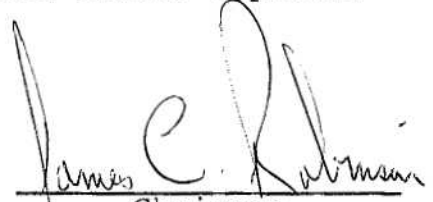
: The Commissioners were reminded
by Rollo Brunson, supervisor of
the U.S. Forest Service, that a new State law presently covers
regulations provided by an existing County Ordinance, and for
that reason Iron County may want to repeal. The matter was
referred to the County Attorney for recommendation.

TAX
MATTER

: The application of Roger Simons for
waiver of penalty, interest, and
costs in connection with a delinquent property tax item was
considered and denied.

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

APPROVED:


Chairman

ATTEST:


Clerk

REGULAR DECEMBER 8th, 1983 MEETING

Minutes of a Regular Meeting of the Board of Iron County Commissioners, held in the Commission Chambers at the Courthouse, Parowan, Utah, December 8th, 1983, beginning at the hour of 9:00 A.M.

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Carma S. Hulet, Deputy Clerk
Sherrie Lamb, County Attorney's Secretary

Minutes approved as read.

SUMMIT
TOWN

_____ : The Commissioners first entertained a delegation from Summit Town comprised of the following Delegates, who appeared in the interest of the Community dealing with a number of items:

Alma Lawrence
Mary Lawrence
Lyle Farrow
Roxanna Johnson

First was a request that appointments or re-appointments be made to the Board of Administrative Control for their Special Service District. Upon review, however, it was determined that no appointments were due until December 14th, 1984.

Next was their request that the annual audit of their Special Service District be included as a part and parcel of the annual audit of Iron County. This matter was tabled for investigation.

Thereupon, they explained that they were in need of a Tax Exemption Number, since they believed that their organization qualified for sales tax exemption on purchases. They were advised by the Commissioners to make application for their own number.

They also inquired into the possibility of effecting some sort of Organization through which they might expand their street lighting system, and establish a perpetual care program for their Cemetery. This matter to be explored, but would seem, on first blush, to require Incorporation.

Problems with their present Garbage Pit were cited, a solution appearing to require a new site, which in turn would require a lease or permit arrangement with B.L.M. This to be explored.

Next came the assertion that their streets were being neglected, and major work needs to be done. They were advised by Commissioner Cowan that some work had already been programmed.

INDIGENT BILLING : Mr. Dick Morrell, of Valley View Medical Center, appeared seeking approval for payment of some \$4,140.96 in Indigent Medical Claims. On passage of a motion, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, the billings were approved for payment, less that of Margery Limb in the amount of \$694.45.

STATE LAND BOARD : Mr. Kevin Carter, representing the State Land Board, met the Commissioners for purpose of advising them regarding activities relative to State lands in which they (the Commissioners) may be interested. Items presented but not necessarily limited to, were as follows:

That the Utah State University and the University of Utah would acquire land in Iron County through a Federal Land grant system, including an allocation to the University of Utah in the Fiddlers Canyon area, and one to Utah State University in the Woolsey Ranch area. Furthermore, that an exchange of land with Frank Nichols involving a tract in Green's Lake Area, was a possibility. The matter of the Kanarra Television site being located on state land was reviewed to some extent, including options open to Iron County in dealing with the State relative to the site, none of the items required formal action by the Commissioners at this time and none was taken.

COMPUTER : Mr. Steve Crowther, of the Computer Service of Southern Utah, appeared and discussed briefly with the Commissioners the County's Computer needs, and to inform them that he could supply and service a

comparable system to the one that they are contemplating obtaining for one third to one half what is apparently programmed to be spent.

Even though the Commissioners were confident that they had not authorized purchase, information was advanced that one had in fact been ordered.

Commissioners to investigate the possibility of saving dollars through change of course.

GREEN BELT : Mr. Crowther also discussed with the Board the possibility of obtaining Green Belt status for land owned by him, and under lease to Kern Bulloch for the past several years, and the necessity, if any, of vacating the portion subdivided.

No formal action was taken at this time, but the matter was scheduled for further consideration at 10:45 A.M., December 30th, 1983.

GROUP INSURANCE : Mr. Dean Johnson, representing Utah Local Governments Trust, and Ron Bigelow and Laurence S. Adair, representing Adair, Bigelow and Creamer & Associates, appeared for purpose of presenting a proposal by each for furnishing of a Group Insurance Program for Iron County for the next fiscal period. Little was accomplished at this time, other than to continue the matter for another hearing date at which time all interested bidders will present their proposal based on specifications to be prepared and furnished by Iron County. It being understood that if the hearing date runs beyond the present fiscal period, the present carrier will continue until their contract is renewed or terminated by appropriate action.

ESCALANTE VALLEY : A delegation comprised of the following delegates, appeared for and on behalf of matters in which Escalante Valley residents are concerned and directly interested:

Bryner Wood
Earl Burns
Purvis Fultz

First of all the delegates expressed their disappointment and dissatisfaction with the amount of funds contemplated to be appropriated to them to upgrade their fire fighting capabilities as compared with that proposed to be appropriated to New Castle for the same purpose.

After much discussion, there was no indication on the part of the Board that they intended to change Provisions of their original or tentative proposal, \$3,400.00 to Beryl and \$4,600.00 to New Castle.

A suggestion was made to the delegation that consideration be given to the idea of implementing a five year improvement plan for upgrading fire fighting capabilities in Escalante Valley.

Further discussion ensued concerning the possibility of a Fire District, Ambulance Equipment, and Service, etc. No formal action was taken in this area, however.

TELEPHONE
MATTER

: Mr. Jeff Hardyman, representing an independent Telephone Company, met the Board for purpose of attempting to persuade them that Iron County should affiliate themselves with their organization. This matter was reviewed to some extent, but was also tabled.

ZONING CHANGE: At 1:00 P.M., as scheduled, with due and proper notice thereon given, a hearing was held on the request of Boyd Christensen for a zone change from an A20 to an R5, on certain property located in the New Castle area. After all had been heard who wished to be heard, there being no opposition, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, approving the change as requested.

SANITARY
LAND FILL

: The question of cross-sectioning the County Land Fill, by whom, and at what intervals, came on for consideration. After review, it was determined that cross-sectioning was necessary, that it should be done twice each year, and that Chad Nay, County Building Inspector should receive the assignment.

ORDINANCE

REPEAL

: By letter, County Attorney, Scott Jay Thorley, suggested that the Commissioners take necessary action to repeal the County Ordinance dealing with the Transportation of Forest Products, since there is now a state statute covering the matter. Accordingly, a motion was duly made, seconded, and passed unanimously, providing the necessary authority for repeal.

TELEVISION

: The matter of the Federal Communications Commissions refusal to approve an application for licensing of a Television Station in the Modena area due to interference, was discussed briefly. Chairman, James C. Robinson, was delegated to meet with Elvin F. Webster, Service man for the area, in an effort to resolve the problem.

FLOOD

PROBLEMS

: Mr. T. J. Flaherty, of Midvalley, met the Commissioners regarding a Flood Problem in which he claims a direct interest. In explaining the problem, he stated that ditches providing drainage from a thirty inch culvert crossing the Midvalley Road approximately one mile west of the Airport Road, are too small, and not kept properly cleaned, wherefore, runoff of a quantity equal to that of last Spring's generate flooding. Accordingly, he wants Iron County to be responsible for enlarging and cleaning the ditches or in some other manner providing adequate drainage. Commissioner Cowan to investigate.

LICENSE

APPLICATION

: The application of Mr. James Willard Jackson, for a business license permitting the sharpening of saws and tools on permises, was by unanimous consent of the Commission, approved.

ROAD

MATTER

: Commissioner Dee G. Cowan, reported to the other members of the Board that he had attended a meeting with representatives from the Department of Transportation, Garfield County, Brian Head, and the National Park Service, regarding the matter of keeping the road open during the winter from Brian Head to Panguitch Via Cedar Breaks , and Panguitch Lake. That all those present, with exception of the Park Service,

who declined to participate, were highly in favor, and urged Iron County to cooperate at a cost of some \$10,000.00. The Commissioners, while hesitant, nevertheless concluded to support the project, at least for this year.

The Commissioners being of the opinion that they will refuse participation for 1984-85. Furthermore, that an effort be made to turn the road to the State Department of Transportation.

The Board was advised that Burt Nichols had ordered a snow blower, and would be in position to do contract work.

APPOINTMENTS : At request of the Aging Counsel Administrator, Pat Wash, of Enoch, and Homer Adams of Parowan, were appointed to the County Aging Counsel.

AMBULANCE PURCHASE : Royce Barton of Paragonah, appeared before the Board and obtained written authorization for purchase of a new Ambulance. The cost figure was not made a matter of record.

BONUS : Bonus application of \$1,000.00 as presented by Steve Grimshaw for Chad Nay, Building Inspector, was denied.

PERSONNEL SURVEY : The Commissioners, after study of the State Personnel Survey for Iron County, adopted option four as it pertains to Salary Scale.

1984 BUDGET : After review and hearing on the 1984 Budget, as prepared by Dennis Lowder, County Auditor, a motion of approval and adoption was unanimously passed, which was made by Commission Dee G. Cowan, and seconded by Commissioner Louie P. Tong.


REST HOME SALE : The proposed agreement by and between Clarence Junior Benson, and Iron County pertaining to sale of the County Rest Home was tabled for consideration with Mr. Benson and County Attorney, Scott Jay Thorley, present.

GARBAGE
MATTER _____:

The Merrill Terry's application for relief from payment of their delinquent Garbage account on grounds they have not been provided with service was approved, subject to their payment for service during the current fiscal period, beginning with September 1st, 1983. Pickup Service Contractor to be advised to see that the service is provided.

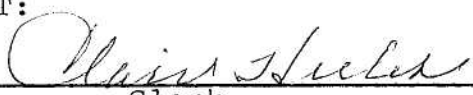
After bills against the County had either been approved or rejected, the meeting was adjourned.

APPROVED:



Ames
Chairman

ATTEST:



Clair Sueda
Clerk



REGULAR DECEMBER 30th, 1983, MEETING

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

Officers attending were:

James C. Robinson, Commission Chairman
Dee G. Cowan, Commissioner
Louie P. Tong, Commissioner
Clair Hulet, Clerk
Scott Jay Thorley, Attorney

Invocation: Dee G. Cowan

Minutes read and approved with minor amendment.

DETENTION CENTER

: As the first matter of business, the Board gave audience to Sheriff Ira Schoppmann, and Deputy Scott Nelson, for consideration of a matter related to the supervisory position at the County Detention Center. Following a general review of matters of mutual concern, Sheriff Schoppmann was given full authority to deal with the problem and submit recommendation.

LAND FILL: The question of when, if, and by whom cross-sectioning of the County Land Fill should be done, was again considered. After review, a motion was unanimously approved, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, providing the following:

- 1 - Cross-sectioning should be done at six month intervals for at least the year of 1984.
- 2 - That the work of cross-sectioning be assigned to Ralph B. Platt, of the Platt Engineering Firm.
- 3 - General supervision and inspection be assigned to Chad Nay, County Building Inspector.

ROAD MATTER

: Mr. Bryant Leigh, farmer and livestock man from Cedar City, met the Commissioners in an effort to convince them that Iron County should cooperate with him in a realignment program for a road which presently bisects

property owned by him on Cedar Mountain in the general area of Sections 4 & 8, Township 38 South, Range 10 West, S.L.M. Explaining that as the road now runs, a number of gates are involved, which are frequently left open, causing considerable inconvenience to him, not to mention livestock losses. Furthermore, he asserted that a road around, not through, his property, would actually be shorter resulting in less cost for maintenance, etc. His petition was supported by letters submitted by a number of interested parties, including, but not necessarily limited to, S.U.S.C., DeMoine Jones, and several of the Cedar L.D.S. stakes.

Following a general review, the matter was referred to Commissioner Cowan for investigation and recommendation.

SOLID WASTE: A delegation of Officials from Parowan City comprised of Mayor John C.

Pendleton, Councilman Robert Dalley, and City Manager Alan Pulsipher, accompanied by Sherman Dalton and Dorothy Dalton, Contractors for garbage pickup services for Parowan City and adjacent areas, appeared for the purpose of attempting to persuade the Commissioners to financially support their garbage program. In substance their contention being that the County Land Fill, designed to serve the entire County, was too far removed from the Parowan area to justify transporting, what they classified as "rubbish", to it, and that they were therefore attempting to take care of this type of waste at the Parowan dump site. That some County residents were benefiting from this service without due compensation from Iron County. Apparently D and O Sanitation is not being separately compensated for this service at this time, but are requesting payment.

A lengthy discussion ensued regarding the matter including the advisability of at least a modified land fill for Eastern Iron County. Following the discussion, the Commissioners requested that Parowan City prepare and present two or more optional proposals for resolution of the matter for their (the Commissioners) study and consideration.

LIGHTING, PARKING,
AIR PORT

: Mayor Pendleton also reported that he had received a number of complaints regarding outside lighting, or the lack of it, at the County Courthouse, as well as to the fact that County Personnel were occupying parking space in front of the Courthouse, rather than using the parking lot.

With respect to the first item, Chairman Robinson agreed to work with the City in determining the need and location for additional outside lighting. As to the second, the Mayor was assured that County Personnel would cooperate with respect to the parking matter.

Thereupon, Mayor Pendleton requested additional financial support from Iron County for the City Airport. The request was briefly discussed, with the Board agreeing to look at the budget and make a determination as to what the possibilities were, if any.

GREEN BELT

: As a carry over from the previous Commissioners meeting, Mr. Steve Crowther, of Cedar City again appeared for further consideration by the Commissioners of his application to have certain property in Cedar Valley, owned by him, assessed for tax purposes under a Green Belt classification. An application having heretofore been denied by the County Assessor on grounds that, in his opinion, the subject property does not qualify.

In any event, after Steve Grimshaw, County Assessor, and Steve Crowther, the applicant, had each been heard on the matter, a motion was duly passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, approving the request. Each of the Commissioners having voted in the affirmative.

COMPUTER

: Mr. Steve Crowther thereupon advanced the subject of a new computer purchase for Iron County and wished to know the present status of the proposal. He was advised by Chairman Robinson that the computer had been ordered. Mr. Crowther, nevertheless, desired to be considered and on the basis that he could save Iron County thirty percent on costs. Stating that if he did not believe this assertion to be true, he would not have appeared for this purpose.

Steve Grimshaw, County Assessor, was heard on the matter, in substance, claiming that he was in no wise convinced that such a savings, or for that matter, any savings could be accomplished by changing over to I.B.M. He stated, however, that he did not object to Mr. Crowther presenting a bid or proposal on specifications he would be willing to supply. Also, the Clerk was instructed to attempt to obtain a copy from Washington County of a study purportedly they had had prepared on Computers.

A number of proposals were presented for dealing with the fact that a Computer was in fact on Order. No firm conclusion was announced on this matter, at this time, however.

ROAD MATTER : Mr. Boyd Nelson, representing the Nelson Dairy, located in Northern Parowan Valley, appeared relative to the bad condition of the Cane Springs road. Not only a road over which they must travel to reach their premises, but over which the Dairy Trucks must travel to pick up their products. He also found fault with the manner in which the grader is operated when servicing the road.

Commissioner Dee G. Cowan, agreed to consult with the County Road Supervisor in an effort to find a means of providing some degree of relief.

SALARY MATTERS : Dennis Lowder, County Auditor, advised the Commissioners that due to an oversight, or to the fact that the Anniversary date of two County Employees occurred after the personnel study completion, improper step classification was recorded, and he wished authority to make the necessary corrections.

On motion duly passed, which was made by Commissioner Louie P. Tong, and seconded by Commissioner Dee G. Cowan, such authorization was given.

Mr. Lowder was also, at his request, authorized to obtain a copy of a proposed unemployment insurance plan for study. Commissioner James C. Robinson, was authorized to work with Dennis Lowder on a policy for salary scales.

SALARY
BONUS

: Steve Grimshaw, County Assessor, expressed his displeasure over the refusal of the Commissioners to approve the claim which he had heretofore presented for payment of a \$1,000.00 Bonus to Chad Nay, and requested that the amount be restored.

Chairman Robinson explained that he had talked to Mr. Nay about the matter, and had offered him the alternative of an additional step in lieu thereof. He carried the opinion that Mr. Nay was receptive to the idea, but that he should probably be given the option as to which way to go.

RECORDING
PROCEEDINGS

: Mr. Grimshaw also suggested that the Commissioners record, in detail, all proceedings of their meetings or, in the alternative, that he be permitted to Record on his own equipment proceedings in which he is directly and personally involved. The Board to consider the suggestion, but in any event, they had no objection to him recording his personal presentations.

COMPUTOR

: Mr. Grimshaw, at this time, again referred to the earlier computer discussion, and suggested that if there exists any possibility that a decision may be reached to obtain computer equipment from a source other than that contemplated at present, that the existing order be cancelled.

The Commissioners declined to direct Mr. Grimshaw to cancel the existing order, that it remain extant. However, they requested that he obtain an outline of rules for cancellation as a matter of information.

SALE
REST HOME

: Mr. Clarence Junior Benson again appeared relative to the pending matter of his agreement to purchase and Iron County's agreement to sell the County Rest Home. The tentative sales agreement as prepared by County Attorney Scott Jay Thorley, was reviewed, amended, and approved by both parties as to form and content. A number of detail items were

necessary to be obtained and submitted to the County Attorney for entry in the agreement such as a legal description of the property, a listing of all furnishings, fixtures, etc., and proper terminology applied to permitted use of road ways, etc., without conveyance of title. The matter to be ready for execution upon the missing details having been entered on the agreement.

NOTICE : The Commissioners took cognizance of the fact that U.S. Steel Corporation had served notice that they will cease operations in Iron County as of April 1st, 1984.

DEED RECORDINGS : The matter of controls, if any, which may be applied to recording of Deeds covering lots or portions of illegal subdivision to be an agenda item for next meeting.

GARBAGE PICKUP : Mr. Sherman Dalton, and Mrs. Dorothy Dalton, under contract with Iron County for garbage pickup service outside the corporate limits of cities and Towns, appeared for purpose of requesting an increase in fee to be charged the patrons from \$5.00 to \$6.00 per month.

In as much, however, as the County billings have already been mailed covering a period up to and including the month of June 1984, and in view of the unfavorable position it would place the County in if it should now submit a revised billing, a motion was unanimously passed, which was made by Commissioner Dee G. Cowan, and seconded by Commissioner Louie P. Tong, providing that \$4.90 of each \$5.00 assessment presently being levied, be paid over to the contractor rather than the present allocation of \$4.50. Mr. Dalton agreed to accept this proposal, effective to July 1st, 1984. He was admonished to renew his request not later than the first Commissioners meeting in June, 1984.

PRECINCT JUSTICES : The Commissioners went of record as being in support of the continuance of the present Precinct Justice of the Peace system. Our legislature to be so informed.

BUSINESS LICENSES : Two applications for business licenses were submitted and approved:

- 1 - Barbara Brewer dba Appallero Pioneer Ranch
- 2 - Doug Winter and Sons

FUND ADJUSTMENTS : Mr. Dennis Lowder, County Auditor, requested and received authorization to make certain inter-departmental budget adjustments in order to bring Departments involved into conformity with budgetary requirements.

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

APPROVED:

Dee L. Brown
Chairman

ATTEST:

Wain Sulea
Clerk

