

**IRON COUNTY COMMISSION MEETING
January 10, 2005**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 10, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Dennis A. Lowder	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Mark O. Gower	County Sheriff

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Wayne Smith

REORGANIZATION OF COMMISSION :

Gene Roundy made a motion to appoint Dennis Stowell as Commission Chair for 2005. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye. The gavel was then passed to Commissioner Stowell.

APPROVAL OF MINUTES - December 6, 2004 :

Minutes of the Iron County Commission meeting held December 6, 2004 were approved as amended on a motion by Wayne Smith. Second was by Dennis Stowell. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

LSC TRANSPORTATION CONSULTANTS :

Kyle Kosman, representing LSC Transportation Consultants are conducting a study of the Public Transportation System (PAWS) in Cedar City. Since the system could be expanded to provide transportation through van pools etc. the Commission was advised of the findings of their study. Mr. Kosman presented a power point program outlining recommendations for modifying the current system to provide shorter and more direct routes. Currently the system is designed with a single route with a 15 minute rest period for the driver at the end of each trip.

Mr. Kosman will conduct public hearings in Cedar City with their recommendations.

THORLEY RANCH ESTATES UNIT "A" SID PETITION :

Ernest Vazuile and Shelly Johnson representing property owners in Thorley Ranch Estates Unit A presented a petition to request the designation as a Special Improvement Area to upgrade roads to County standards and for the County to assume maintenance. Mr. Vazuile reported that property owners adjacent to the existing 33 foot right of way were willing to provide the additional 33 feet to bring the right of way to the required 66 foot width. The Commission agreed to take the request under advisement and to authorize Steve Platt to prepare a cost estimate and design for the proposed SID.

PRAIRIE DOG TAKE PERMITS 2005 :

Teresa Bonzo presented a list of Permanent Take Requests for 2005. There are 67.48 dogs available. Requests submitted to this time are 63.01 excluding requests for a Coca Cola plant site request for 31.7 dogs, Quantum Construction for a trucking company 53.11 dogs and Quantum Construction for Maury Abrams Company for 72 dogs.

The Commission explained to people present the dilemma this places on the development for the rest of the year for take available for Iron County. Commissioner Stowell also explained progress in State SITLA developing a Prairie Dog Bank. After reviewing options the Wayne Smith made a motion to proceed with current allocation methods and allocate take on a first come, first serve basis as in the past. The three large requests will not be granted at this time due to the large quantities of dogs. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PERSONNEL MATTERS :

Christene Keene presented for approval as new employees Devin D. Lauritzen as a Part Time EMT Basic; Dwayne L. Heitzler as a Full Time Jail Officer; Dustin C. Brindley as a Full Time Landfill Worker; Joey T. Church as a Full Time Custodian and Building Maintenance Supervisor; Scott Kroft as a Part Time EMT Basic; and Sam Taylor as a Part Time EMT Basic. Gene Roundy made a motion to approve the new employees as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

The Commission reviewed a job description for the position of Human Resource Supervisor. Concerns were voiced with the method used in formulating the job description and it was determined to be in the best interest of the County to have the description reviewed by outside sources. Gene Roundy made a motion to table action on the adoption of the job description to provide that County policy is followed in advertising of the position. Also to

year deficiencies noted for deposit of funds within State Guidelines appears to be corrected. In the opinion it was stated that the Southwest Behavioral Health Center complied in all material respects with the general compliance requirements.

Gene Roundy made a motion to approve the audit report of the Southwest Behavioral Health Center as prepared by Hafen Bruckner Everett and Graff, PC. Dated November 24, 2004. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

SOUTH WEST PUBLIC HEALTH BOARD APPOINTMENT :

Gene Roundy was appointed to the Board of Southwest Public Health as the Iron County Commission Representative on a motion by Wayne Smith. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

NATIONAL GUARD SERVICE DISCUSSION :

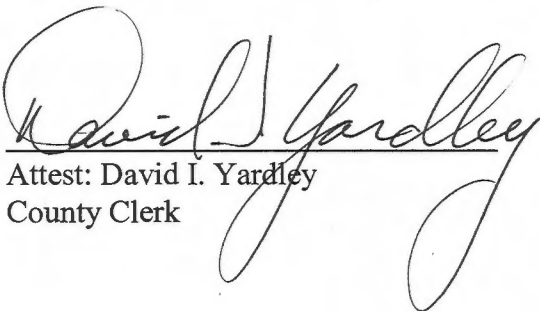
In response to the deployment of the Utah National Guard, 222 Field Artillery Battalion with Headquarters in Cedar City, the Commission approved a celebration to honor members of the 222 FA Bn as they complete retraining in June and prepare for deployment to Iraq.

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 2:30 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.



Signed: Dennis E. Stowell, Chairman



Attest: David I. Yardley
County Clerk



**PROCLAMATION
DECLARING A STATE OF EMERGENCY
IN IRON COUNTY, STATE OF UTAH**

WHEREAS, Iron County, Utah is suffering and has suffered severe damage due to recurring flooding from the heavy rain, snow, and snow pack runoff leading up to January 10, 2005; and

WHEREAS, additional storms are forecast over the next few days and months and annual spring runoff begins in May and continues into June; and

WHEREAS, Iron County is a political subdivision of the State of Utah; and

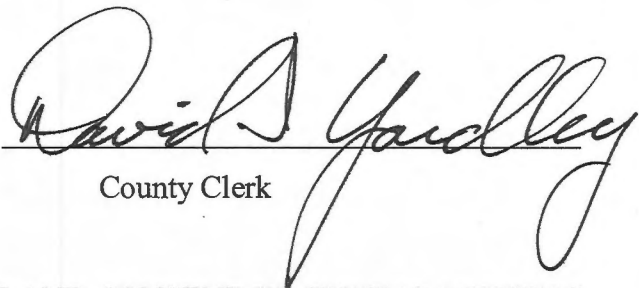
WHEREAS, the following conditions exist and are ongoing:

1. The unincorporated area of Iron County known as the Escalante Valley including Beryl Junction has flood water from Shoal Creek and Holt's Canyon causing damage to farm ground, structures, property, and infrastructure.
2. The City of Cedar City is experiencing extreme snow pack in the Coal Creek Drainage with the probability of extreme damage to residences, roads, property and infrastructure.
3. The unincorporated areas between Cedar City limits and Quichapa Lake and Rush Lake along the historic flood plain of Coal Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
4. The unincorporated area of Summit to the Little Salt Lake along the historic flood plain of Summit Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
5. The City of Parowan along historic flood plains of Center (Parowan) Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
6. The unincorporated area of Parowan Valley from Parowan City limits to the Little Salt Lake along historic flood plains of Center (Parowan) Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
7. The Town of Paragonah along historic flood plains of Red Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
8. The unincorporated area of Parowan Valley from Paragonah Town limits to the Little Salt Lake along historic and designated flood plains and channels of Red Creek and Little Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
9. The Town of Kanarraville along historic flood plains of Kanarra Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
10. The unincorporated area near Kanarraville along historic flood plains of Kanarra Creek and Spring Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
11. The City of Enoch along historic flood plains of Fiddlers Canyon and Coal Creek drainage with the probability of extreme damage to residences, roads, property and infrastructure.
12. Transportation routes are anticipated to be flooded for extended period of time due to high water levels.

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE IRON COUNTY COMMISSION OF IRON COUNTY, STATE OF UTAH:

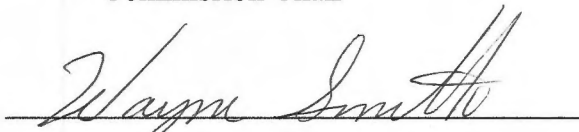
NOTICE IS HEREBY GIVEN that a special meeting of the Iron County Commission of Iron County, Utah, will be held at the Iron County Sheriff's Office, 2132 N. Main St., Cedar City, UT at 1:00 p.m. on Friday, January 14, 2005, for the purpose of ratifying an Emergency Flood Declaration, approving the purchase of Landfill Equipment, approving vehicle purchase for Building Department, and for the transaction of such other business incidental to the foregoing as may come before said meeting.


County Clerk

ACKNOWLEDGMENT OF NOTICE AND CONSENT TO SPECIAL MEETING

We, the Chair and members of the Iron County Commission of Iron County, Utah, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.


Commission Chair


Commissioner


Commissioner

SPECIAL IRON COUNTY COMMISSION MEETING
January 14, 2005

Minutes of a Special Meeting of the Iron County Commission convened at 1:00 p.m. January 14, 2005 at the Iron County Sheriff's Office, 2132 North Main St, Cedar City, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Karen LeFevre	Deputy County Clerk
Mark O. Gower	County Sheriff

EQUIPMENT PURCHASE APPROVAL _____ :

Alan Wade requested approval to purchase a used Caterpillar Road Grader for \$48,000 and to purchase a second set of scales to be installed at the Iron County Landfill in Cedar City to allow for incoming and empty weights to be obtained. Wayne Smith made a motion to approve the purchase of the road grader and the scales as requested. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Chad Nay has requested permission to purchase a new vehicle for the Building Inspection Department to replace a vehicle which has become inoperable. Gene Roundy made a motion to approve the purchase of a pickup truck for the Building Department and to place the existing vehicle on the surplus property list. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

EMERGENCY DECLARATION _____ :

Wayne Smith made a motion to formally adopt an emergency declaration in reference to recent floods in the Escalante Valley area. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

EMERGENCY DECLARATION

WHEREAS Beginning on or about January 10, 2005, and continuing to the present, a series of severe winter storms in the watersheds of Southwestern Utah have caused widespread flooding which has extended into Iron County, Utah; and

WHEREAS Flood waters flowing from Enterprise Reservoir, Shoal Creek, and Holt Canyon flowed into the Southwestern region of Iron County, Utah in quantities which quickly covered roadways, farmland and residential areas in and around the area known as the Escalante Valley including Beryl Junction; and

WHEREAS Flood waters endangered a number of residential structures, a Community

IRON COUNTY COMMISSION MEETING
January 24, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 24, 2005
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Dennis A. Lowder	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Erik Jorgensen.

APPROVAL OF MINUTES January 10, 2005 :

Minutes of the Iron County Commission meeting held January 10, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

modifications include an amendment to the grazing plan and an amendment to provisions to keep prairie dogs from adjacent properties.

Mr. Auer also discussed the Parowan Front with winter range for deer and elk. The goal is to reduce damage to private land owners by fencing to avoid damage to hay crops. The Commission requested notification of proposed road closures and discussed RS-2477 road claims. The Commission is to be notified of proposed closures. Noxious weed problems were also discussed. The County weed board is to be involved in weed control.

Mr. Auer reported on development plans at Yankee Reservoir. Plans include improving camping access and other traditional recreational activities. The Commission also recommended that the weed board be involved with management of noxious weeds in this area.

OPERATION SLOWDOWN :

Lt. Pyper of the Utah Highway Patrol reported on the success of Operation Slowdown in Iron County. This program allows additional overtime shifts to be worked by Highway Patrol Troopers concentrating on the I-15 corridor. Statistics show that serious auto accidents in this corridor went down significantly in 2004 in comparison to other areas of the State where accident and death rates increased over the same period of time. It was felt that enforcement efforts in Iron County spilled over into Beaver and Washington Counties as drivers became aware of additional law enforcement on the freeway.

Wayne Smith made a motion to continue with Operation Slowdown and to authorize the County Attorney to draft an amendment to provide annual review of the contract. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

WELL HEAD PROTECTION & ROAD REQUEST :

Lillian Blackburn came before the Commission requesting approval of a wellhead protection area around a culinary well located on their property North of Summit on the Summit Cemetery Road. The Commission responded that typically, property owners must enter into a maintenance agreement for the area included in their wellhead protection area. The matter was referred to Planning and Zoning for their review and recommendation.

BUILDING PERMIT QUESTION :

Cliff Stubbs came before the Commission to request clarification of policy which requires a minor lot subdivision in order to build a home on a 40 acre parcel of the family farm. The Zoning Administrator has stated that in order to comply with the Subdivision ordinance, a 66 foot road right of way must access the property. Mr. Stubbs stated that it is not possible to obtain additional right of way for the ½ mile from an existing County road to the property. After reviewing concerns, the Commission referred Mr. Stubbs to the Planning Commission to review the request in compliance with County Ordinances.

ORDINANCE 162 AMENDMENT DISCUSSION :

Brian Steed, Deputy County Attorney, discussed with the Commission possible amendments to Ordinance 162 which established a Tax Appeal Board. The establishment reference in Utah Code 59-2-1347 should not apply to commercial properties. A different

Reed Erickson explained the need to compile a comprehensive land use plan in compliance with State guidelines. Since Counties have adopted plans on an individual basis, the wording and requirements vary from County to County. The purpose of planning on a regional basis is to coordinate requirements and identify resources that may overlap County lines. The Commission explained that they were preparing to meet with Commissioners from Beaver and Millard Counties to determine if it is feasible to prepare a regional plan.

SEWER HOOKUP ORDINANCE DISCUSSION :

A proposed ordinance to define requirements to connect to existing sewer systems was discussed. Dutch Deutschlander, Bryce Hatterly and Gary Bulloch representing Brian Head expressed their concerns and suggestions. Current subdivision ordinance requires new subdivisions within 150 feet per lot from existing lines to extend and hook onto sewer and new residences in existing subdivisions within 300 feet of a sewer line attach. Brian Head recommended that as the ordinance is drafted that a provision be made to authorize waivers if, as in the case of some lots, service cannot be provided due to terrain restrictions.

The County will continue to work toward a comprehensive sewer hookup ordinance.

TIER RECOMMENDATION UPDATE :

Reed Erickson discussed with the Commission a modification of the General Plan Tier System. The Planning Commission is discussing an amendment to Tier 2 and Tier 3 designations to provide that subdivisions within Tier 2 and designated in existing annexation plans of municipalities to apply for annexation and to develop in compliance with municipal standards under certain conditions. Tier 3 would be modified to allow for designation and development of new municipal areas which may or may not be adjacent to existing Tier 3 designation. A more complete recommendation will be presented by the Planning Commission at a later date.

RESOLUTION 2005-1 AUTHORIZING RESOLUTION :

The following resolution was introduced and discussed.

RESOLUTION NO. 2005-1

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH (THE "COUNTY"), AUTHORIZING AND APPROVING THE EXECUTION OF A FIRST AMENDMENT TO MASTER LEASE AGREEMENT, DATED AS OF FEBRUARY 1, 2005, BY AND BETWEEN THE COUNTY AND THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH (THE "AUTHORITY"); AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE BONDS, SERIES 2005 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$231,000; AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL RESOLUTION AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE COMPLETION OF THE RENOVATION OF AN EXISTING BUILDING AND RELATED IMPROVEMENTS BEING USED AS COUNTY OFFICES AND FOR OTHER COUNTY PURPOSES AND RELATED IMPROVEMENTS;

engineer/architect setting forth the estimated useful life of the Project have been submitted to the County; and

WHEREAS, the Authority proposes to finance the costs of completing the Project by means of the issuance of its Lease Revenue Bonds, Series 2005 in the aggregate principal amount of \$231,000 (the "Series 2005 Bonds") to be issued pursuant to the terms and provisions of a Supplemental Resolution dated as of February 1, 2005 (the "Supplemental Resolution"), of the Authority, in substantially the form presented to this meeting and attached hereto as Exhibit B and herein authorized and approved; and

WHEREAS, the Authority proposes to secure its payment obligations under the Series 2005 Bonds by executing an Amended Deed of Trust, Assignment of Rents and Security Agreement dated as of February 1, 2005 (the "Amended Deed of Trust"), in substantially the form presented to this meeting and attached hereto as Exhibit C for the benefit of the holders of the Series 2005 Bonds; and

WHEREAS, the Authority shall adopt a resolution concurrently herewith (the "Authorizing Resolution"), which authorizes and approves the issuance and sale by the Authority of its Series 2005 Bonds, the execution of the Supplemental Resolution, the Amended Lease, the Amended Deed of Trust and other documents required in connection therewith, and the financing of the of the Project; and

WHEREAS, the Series 2005 Bonds shall be payable solely from the rents, revenues and other income derived by the Authority from the leasing of the Project to the County, on an annually renewable basis, and shall not constitute or give rise to an obligation or liability of the County or constitute a charge against its general credit or taxing powers; and

WHEREAS, the County desires to improve and promote the local health and general welfare of the citizens of the County by entering into the Amended Lease; and

WHEREAS, the State of Utah Permanent Community Impact Fund Board (the "Purchaser") has offered to purchase the Series 2005 Bonds and the Authority desires to sell the Series 2005 Bonds to the Purchaser; and

WHEREAS, under the Articles, the Authority may not exercise any of its powers without prior authorization by the governing body of the County and, therefore, it is necessary that the Board of County Commissioners authorize certain actions by the Authority in connection with the transactions contemplated by the Amended Lease, the Supplemental Resolution, the Series 2005 Bonds and the Amended Deed of Trust; and

WHEREAS, the Chair and other officials of the County have presented the Amended Lease to the Board of County Commissioners for the purpose of obtaining the approval of the Board of County Commissioners of the terms and provisions thereof and for the purpose of confirming the execution thereof as the official act of the Board of County Commissioners.

Section 6. Upon their issuance, the Series 2005 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2005 Bonds, Amended Deed of Trust and the Supplemental Resolution. No provision of this Resolution, the Amended Lease, the Supplemental Resolution, the Series 2005 Bonds or the Amended Deed of Trust, or any other instrument, shall be construed as creating a general obligation of the Authority or of creating a general obligation of the County, or as incurring or creating a charge upon the general credit of the County or against its taxing powers. The County shall have no power to pay out of its funds, revenues, or accounts, or otherwise contribute any part of the cost, or of making any payment in respect of the Series 2005 Bonds, except in connection with the payment of the Base Rentals, Additional Rentals and Purchase Option Price pursuant to the Lease (as those terms are defined in the Master Lease) which may be terminated by the County on any annual renewal date thereof in accordance with the provisions of such Amended Lease.

Section 7. The Chair is hereby authorized to make any alterations, changes or additions in the Amended Lease herein approved and authorized necessary to correct errors or omissions therein, to remove ambiguities therefrom, or to conform the same to other provisions of such instruments, to the provisions of this Resolution or the provisions of the laws of the State of Utah. Execution of said documents shall conclusively establish approval of such changes.

Section 8. The County Clerk is hereby authorized to attest to all signatures and acts of any proper official of the County, and to place the seal of the County Clerk on the Amended Lease. The Chair and other proper officials of the County and each of them, are hereby authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the matters herein authorized.

Section 9. The appropriate officials of the Authority are authorized to make any alterations, changes or additions in the Amended Lease, the Supplemental Resolution and the Amended Deed of Trust herein authorized and approved which may be necessary to correct errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the provisions of this Resolution, the Creating Resolution or any resolution adopted by the County or the Authority, or the provisions of the laws of the State of Utah or the United States. Execution of said documents shall conclusively establish approval of such changes.

Section 10. If any provisions of this Resolution (including the exhibits attached hereto) should be held invalid, the invalidity of such provisions shall not affect any of the other provisions of this Resolution or the Exhibits.

Section 11. The Secretary of the Authority is hereby authorized to attest to all signatures and acts of any proper official of the Authority, and to place the seal of the Authority on the Amended Lease, the Supplemental Resolution, the Deed of Trust, and any other documents

BUILDING AUTHORITY OF IRON COUNTY, STATE OF UTAH:

NOTICE IS HEREBY GIVEN that a special meeting of the Governing Board of the Municipal Building Authority of Iron County, Utah, will be held at the Board's regular meeting place at 9:00 a.m. on Monday, January 24, 2005, for the purpose of adopting a resolution which authorizes the issuance and sale of not more than \$231,000 Lease Revenue Bonds, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Secretary

ACKNOWLEDGMENT OF NOTICE AND CONSENT TO SPECIAL MEETING

We, the Chair and members of the Governing Board of the Municipal Building Authority of Iron County, Utah, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Chair

Boardmember

Boardmember

The Governing Board of the Municipal Building Authority of Iron County, Utah (the "Board"), met in special public session at the County offices in Parowan, Utah, on January 24, 2005, at the hour of 9:00 a.m., with the following members of the Board being present:

Dennis Stowell
Gene Roundy
Wayne Smith

Chair
Boardmember
Boardmember

Also present:

David Yardley
Scott Garrett

Secretary
Attorney

WHEREAS, Iron County, Utah (the "County"), has previously authorized and directed the creation of the Municipal Building Authority of Iron County, Utah (the "Authority"), pursuant to the provisions of a Resolution adopted on April 12, 1982 (the "Creating Resolution"); and

WHEREAS, pursuant to the direction of the Board of County Commissioners contained in the Creating Resolution, the Authority has been duly and regularly created, established, and is organized and existing as a nonprofit corporation under and by virtue of the provisions of the Constitution and laws of the State of Utah, including, in particular, the provisions of the Utah Revised Nonprofit Corporation Act, Title 16, Chapter 6a, Utah Code Annotated 1953, as amended, and the Utah Municipal Building Authority Act, Title 17A, Chapter 3, Part 9, Utah Code Annotated 1953, as amended (collectively, the "Act"); and

WHEREAS, under the Articles of Incorporation of the Authority (the "Articles"), the objects and purposes for which the Authority has been founded and incorporated are to acquire, improve or extend one or more projects and to finance their costs on behalf of the County in accordance with the procedures and subject to the limitations of the Act in order to accomplish the public purpose for which the County exists; and

WHEREAS, the County has leased, as lessee, on an annually renewable basis, the Project (as defined below) from the Authority and the Authority has leased, as lessor, the Project to the County under the terms and provisions set forth in the Master Lease Agreement, dated as of January 1, 2004 (the "Original Lease"), and now desires to lease the Project to the Authority pursuant to a First Amendment to Master Lease Agreement (the "Amended Lease, together with the Original Lease, the "Lease"); and

WHEREAS, pursuant to the Amended Lease, in substantially the form presented to this meeting and attached hereto as Exhibit B and herein authorized and approved, the County will continue to lease on an annually renewable basis an existing building being used as County offices and for other County purposes and related improvements (the "Project"); and

WHEREAS, to finance all or a portion of the costs of completing the Project, the Authority proposes to issue its Lease Revenue Bonds, Series 2005 in the total principal amount of \$231,000 (the "Series 2005 Bonds") pursuant to a Master Resolution dated as of January 1, 2004 (the "Master Resolution"), and a supplemental resolution dated as of February 1, 2005 (the "Supplemental Resolution"), to be entered into at the time of issuance of the Series 2005 Bonds in substantially the form presented to this meeting and attached hereto as Exhibit C, and the Authority proposes to secure its payment obligations under the Series 2005 Bonds by executing an Amended Deed of Trust, Assignment of Rents and Security Agreement with respect to the Project in substantially the form presented to this meeting and attached hereto as Exhibit D (the "Amended Deed of Trust") for the benefit of the holders of the Series 2005 Bonds; and

in the aggregate principal amount of \$231,000 and the sale of the Series 2005 Bonds to the Purchaser at a purchase price of \$231,000. The Series 2005 Bonds shall be dated, shall be issued as fully registered bonds, and shall mature as provided in the Supplemental Resolution.

Section 7. The form, terms and provisions of the Series 2005 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Supplemental Resolution in the form to be executed by the Authority. The Series 2005 Bonds shall mature prior to the expiration of the estimated useful life of the Project. The Chair of the Authority is hereby authorized to execute the Series 2005 Bonds, to place thereon the seal of the Authority and to deliver the Series 2005 Bonds to the Purchaser. The Secretary of the Governing Board of the Authority is authorized to attest to the signature of the Chair and affix the seal of the Authority to the Series 2005 Bonds and to authenticate the Series 2005 Bonds. The signatures of the Chair and of the Secretary of the Governing Board of the Authority may be by facsimile or manual execution.

Section 8. The appropriate officials of the Authority are hereby authorized to execute and deliver the Amended Deed of Trust in substantially the form and with substantially the same content as set forth in Exhibit D attached hereto for and on behalf of the Authority.

Section 9. The appropriate officers of the Authority are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate the transaction as contemplated thereby and are authorized to take all action necessary in conformity with the Acts and the Articles to lease the Project to the County pursuant to the Amended Lease, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the sale and delivery of the Series 2005 Bonds.

Section 10. Upon their issuance, the Series 2005 Bonds will constitute regular limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2005 Bonds and the Supplemental Resolution. No provision of this resolution or of the Amended Lease, the Supplemental Resolution, the Amended Deed of Trust, the Series 2005 Bonds, or any other instrument, shall be construed as creating a general obligation of the County, or as incurring or creating a charge upon the general credit of the County or its taxing powers. As specified by the County in the County Resolution, the County shall have no power to pay out of its funds, revenues, or accounts, or otherwise contribute any part of the cost of making any payment in respect of the Series 2005 Bonds, except in connection with the payment of the Base Rentals, Additional Rentals, and Purchase Option Price (as those terms are defined in the Master Lease), pursuant to the Amended Lease, which may be terminated by the County on any annual renewal date thereof in accordance with the provisions of such Amended Lease.

Section 11. The appropriate officials of the Authority are authorized to make any

legality of this Authorizing Resolution or of the Series 2005 Bonds hereby authorized or any provisions made for the security and payment of such Series 2005 Bonds. After such time, no one shall have any cause of action to contest the regularity, formality, or legality of this Authorizing Resolution or the Series 2005 Bonds herein authorized or any provisions made for the security and payment of such Series 2005 Bonds for any cause whatsoever.

The "Notice of Bonds to be Issued" is in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of Title 17A, Chapter 3, Utah Code Annotated, 1953, as amended, that on January 24, 2005, the Governing Board of the Municipal Building Authority of Iron County, Utah (the "Authority"), adopted an Authorizing Resolution (the "Authorizing Resolution") in which it authorized the issuance of the Authority's Lease Revenue Bonds, Series 2005 in a total principal amount of \$231,000 (the "Series 2005 Bonds"), to bear interest at the rate or rates of two and one-half percent (2.5%) per annum, to mature in thirty (30) years from their date or dates, and to be sold at a price of one hundred percent (100%) of the total principal amount thereof .

The Series 2005 Bonds, pursuant to the Authorizing Resolution, a Master Resolution dated as of January 1, 2004, and the Supplemental Resolution dated as of February 1, 2005, to be entered into at the time of the issuance of the Series 2005 Bonds, are to be issued for the purposes of financing the costs of completing the remodeling and furnishing of an existing building being used to house certain County offices and programs and related improvements (the "Project") and the expenses reasonably incurred in connection with the authorization and issuance of the Series 2005 Bonds.

The Series 2005 Bonds are to be issued and sold by the Authority pursuant to the Authorizing Resolution, including as part of said Authorizing Resolution, a form of the Supplemental Resolution which was before the Board and attached to the Authorizing Resolution at the time of its adoption in substantially final form.

Copies of the Authorizing Resolution and the Supplemental Resolution authorizing the issuance of the Series 2005 Bonds are on file in the office of the Secretary of the Authority in Parowan, Utah, where it may be examined during daytime hours from 8:00 a.m. to 5:00 p.m. for a period of at least thirty (30) days from and after date of the publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Authorizing Resolution, Supplemental Resolution, or the Series 2005 Bonds, or any provision made for the security and payment of the Series 2005 Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever, and (ii) registered voters within Iron County, Utah, may sign a written petition requesting an election to authorize the issuance of the Series 2005 Bonds. If written petitions which have

can be completed.

WEED PROGRAM 2005 _____ :

Dennis Stowell reported that the BLM has approached the Weed Board with a proposed agreement to authorize the County to provide noxious weed control on BLM land. The proposal would require an additional full time weed employee and an additional spray rig and truck. The weed board is not opposed to the plan provided the project is fully funded by the BLM and the County assumes no liability from weed control activities.

ANNUAL DISCLOSURE NOTICES _____ :

Karen LeFevre reminded elected and appointed officials of the need to file their annual disclosure notice in compliance with Utah Code 17-16a-6 and 17-16a-7 describing conflict of interest. Forms were distributed and requested that they be returned to the County Clerk's Office.

EXECUTIVE SESSION PERSONNEL MATTER _____ :


Gene Roundy made a motion to convene in executive session to discuss the character, professional competence, or physical or mental health of an individual in compliance with Utah Code 52-4-5. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith , Aye.

After reconvening in open session, Gene Roundy made a motion to ratify action taken by the Human Resource Office and the Ambulance Supervisor in terminating the employment of an employee within their probationary time. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith , Aye.

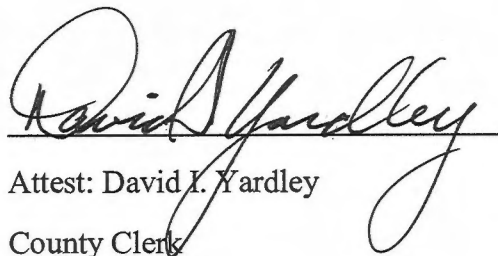
STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Executive Session convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

Dated this 24th day of January, 2005.



Signed: Dennis E. Stowell, Chairman



Attest: David I. Yardley
County Clerk

IRON COUNTY COMMISSION MEETING
February 14, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 14, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Chad Nay.

APPROVAL OF MINUTES - January 21, 2005 :

Minutes of the Iron County Commission meeting held January 21, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

OFFICIALS REPORTS :

Chad Nay reported that the building permits were up both in dollar amount and new home starts. He also discussed progress in dealing with nuisance cleanup projects. Notices have

Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith , Aye.

Chad Nay explained the need for requiring building permits before excavations to protect prairie dogs and to provide compliance with requirements in the Habitat Conservation Plan. The proposed ordinance will place builders on notice that clearances must be in place before construction starts.

ORDINANCE 202 :

After all public comments were received, the hearing was closed and Gene Roundy made a motion to adopt Ordinance 202. Second by Wayne Smith.

IRON COUNTY, UTAH

ORDINANCE NO. 202

BUILDING PERMIT REQUIRED BEFORE DIGGING

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING PORTIONS OF CHAPTER 1, SECTIONS 106 AND 107, IRON COUNTY ZONING ORDINANCE; ESTABLISHING REGULATIONS FOR OBTAINING A BUILDING PERMIT IN ADVANCE OF EXCAVATION, AS HEREIN DESCRIBED.

WHEREAS, the Utah prairie dog is a federally threatened species that occurs only in southwestern Utah, and as such is granted some protections of the Endangered Species Act;

WHEREAS, Iron County participates with the Utah Division of Wildlife Resources in the “Habitat Conservation Plan and Incidental Take Permit for Utah Prairie Dogs in Iron County, Utah”, dated July 1998;

WHEREAS, the primary purpose of said Habitat Conservation Plan (HCP) and the U.S. Fish and Wildlife Service issued “Incidental Take Permit” is to allow continued development and economic growth in Iron County, while conserving and recovering the Utah prairie dog on public lands;

WHEREAS, applying for a building permit is normally the action that triggers whether take will occur and will allow quantification of take;

WHEREAS, landowners not needing a building permit or special approval, but conducting activities resulting in the alteration/destruction of habitat, may be protected under the HCP if they follow the procedures outlined in the HCP for the building permit process (HCP, 6.9); and,

WHEREAS, the Iron County Planning Commission has conducted a duly advertised and noticed

1) Building Permit Required. Construction or removal of any building or structure or any part thereof, or any excavation, digging, or other ground disturbance, necessary to construct any building or structure or any part thereof, including all structures or uses of which plans have been approved as part of a zoning district amendment, site plan, subdivision plat or Conditional Use Permit, shall not be commenced or proceeded with until a building permit is obtained from the County's Building Official, unless exempt by the provisions of the County's Building Code or state law, including agricultural buildings to the extent exempted by the provisions of § 58-56-4 (U.C.A.).

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. REPEALER

To the extent that any ordinances, resolutions or policies of Iron County conflict with the provisions of this ordinance, they are hereby amended to comply with the provisions hereof.

EFFECTIVE DATE: This ordinance shall take effect upon its passage by a majority vote of the Iron County Board of County Commissioners and following notice and publication as required by Utah Code § 17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 14th day of February, 2005.



BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: Dennis E. Stowell
Dennis E. Stowell, Chairman

ATTEST:

David I. Yardley
David I. Yardley,
County Clerk

VOTING:

Gene E. Roundy Aye
Dennis E. Stowell Aye
Wayne A. Smith Aye

INSURANCE COMMITTEE RETIREE POLICY REPORT :

Beniti Orton, spokesperson for the Employee Insurance Committee discussed with the Commission results from their review of current personnel policy regarding insurance benefits for individuals retiring with more than fifteen years of County employment. The Committee recommended the policy remain as currently written with corrections to two sections of the Personnel Policy.

Section 19 ©. 1 b) referring to service by elected officials was amended to read: the benefits shall also be offered to paid elected officials with twelve (consecutive) cumulative years of employment with Iron County.

Section 19 2 DURATION: (a) amended to read: Medical insurance benefits offered upon retirement shall continue for up to, but not exceeding five (5) (cumulative) consecutive years from the date of the employees retirement, or until such time as the retiring employee has insurance benefits available to him/her from subsequent employment, medicaid, or medicare.

Gene Roundy made a motion to adopt the corrections to Section 19 of the County Personnel Policy as presented effective immediately. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PERSONNEL ADMINISTRATION DISCUSSION :

Mike Swallow returned to the Commission meeting after meeting with elected officials. He suggested that job descriptions for employees be reviewed for correctness at annual performance reviews. Equity between jobs need to be compared between departments. Mr. Swallow agreed to provide guidance on completing job descriptions. He will also provide access to the program used in evaluating job descriptions.

The Commission asked if a salary study needs to be conducted. Christene Keene reported that the last study was completed in 2000. It was determined that it would be helpful to gather data for a salary comparison because of the growth of the County and changes in County Classifications.

COMPREHENSIVE LAND USE PLAN DISCUSSION :

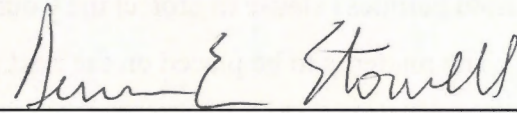
Randy Johnson met with the Commission to discuss the development of a comprehensive land use plan. Because of differences in General Plans adopted by Counties, State and Federal agencies tend to ignore local concerns. The Comprehensive plan will consider all aspects of land uses. The plan will be patterned after plans adopted in Nevada and it is anticipated that plans for Washington and Millard Counties will be completed and adopted prior to the Iron County plan.

It is hoped that this process will result in a comprehensive land use plan for Iron County, create Congressional legislation from the process which will include Economic Development; Growth; Recreation; Tourism; Land Preservation; Transportation and Power Corridors; Water Development; Etc.

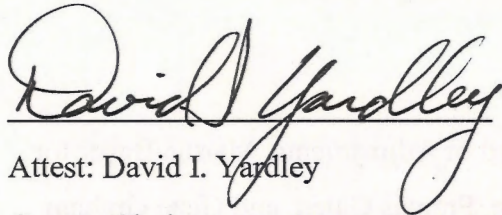
A tentative date for the first meeting of the working group will be scheduled for March 14 at 1:00 p.m. at the Festival Hall. A letter inviting a group of participants from various interests will be prepared and sent. It is to inform the participants of the time which will be involved in

Utah Code 52-4 et. seq. for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

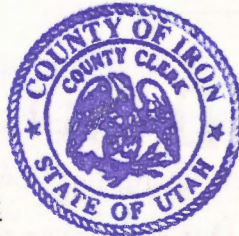
Dated this 14th day of February, 2005.



Signed: Dennis E. Stowell, Chairman



Attest: David I. Yardley
County Clerk



TAX MATTERS :

A request for a waiver of interest, penalty and taxes submitted by Patricia Hilliard on tax serial number E-1117-0001-0001 was reviewed and denied noting that there are additional property owners listed for the property and a tax deferral request has not been submitted for consideration. Tax deferral forms are to be sent to Ms. Hilliard for completion and to be resubmitted for further consideration.

A request from the Municipal Building Authority of Iron County, Utah for tax exempt status for Tax Serial Number B-0783, Account Number 56959 known as 82 North 100 East, Cedar City was approved effective January 1, 2004 on a motion by Gene Roundy. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

BABOON PEAK ROAD :

A request from the BLM to relinquish a claim to a right of way on a road known as Baboon Peak which is used as a communications site was denied. Although the County does not presently have equipment at the site, it is still used by several companies and is designated as an RS-2477 right of way. Gene Roundy made a motion to deny the request for a waiver and to invite the BLM to attend Commission meeting to review their request. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

TECHNICAL ASSISTANCE CONTRACT APPROVAL :

A contract between Iron County and Five County Association of Governments to fund professional services regarding public lands and natural resource management was approved on a motion by Gene Roundy. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

CONGRESSIONAL FUNDING REQUESTS :

The Commission discussed grant requests to be submitted to the Utah Congressional delegation in Washington. Funding of sewer line expansion in Cedar Valley and funding of an ATV trail system as part of the High Desert Trails will be presented.

EWP GRANT ESCALANTE VALLEY RANCHOS UNIT 19 :

Letters have been mailed to residents and property owners in Escalante Valley Ranchos

**IRON COUNTY COMMISSION MEETING
February 28, 2005**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 28, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Dennis A. Lowder	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Erik Jorgensen.

ELECTED OFFICIALS REPORTS :

Ryan Riddle was introduced as the County Fire Warden. Mr. Riddle will coordinate fire fighting strategy and efforts in the unincorporated areas of the County. Mr. Riddle is a full time employee under contract through State Lands, Forestry and Fire Division.

Erik Jorgensen reported that the computer network in the Justice Center is working and the County Attorney and Justice Court are in the building and operating.

Erik also reported that the computer software system used in Box Elder County appears to have all of the elements needed to serve County offices. Patsy Cutler and Geri Norwood voiced their support of the system stating that it operates in compliance with Utah Code, something national software programs have not been able to demonstrate to this point.

Residents from the area to be reseeded voiced concerns with ATV's using the area and disturbing the seedings. The residents also stated that many owners were not willing to sign the waiver submitted by the County. They have drafted individual authorizations with key language regarding a hold harmless clause omitted. Residents were informed that the access and hold harmless agreement must be signed and returned as written to be considered for inclusion in the project. Because of the checkerboard approvals, if the agreements are not returned immediately, the project will not be done this year.

CEDAR VALLEY SEWER ISSUES :

The Commission discussed issues to be presented to the Legislative delegation in Washington during the upcoming NACO Legislative Conference. Of primary concern is a presentation to Senator Bennett for a STAG grant to extend sewer mainline in the Cedar Valley. Reed Erickson will be meeting with Mayor Sherratt tomorrow and invited the Commissioners to the meeting to coordinate efforts to secure funding of the project. Representative Matheson will also be contacted to see if he has additional funding sources which may be available.

PERSONNEL MATTERS :

Christene Keen presented for approval the name of Carri R. Jefferies, as a part time Deputy Recorder. Gene Roundy made a motion to approve the hiring as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PERSONNEL DIRECTOR DISCUSSION :

John Willie, Human Resources Director from Washington County, came before the Commission at the Commission request to discuss the establishment of a Human Resources Department. He explained that Utah Code Title 17 Chapter 33 requires that when a County reaches 200 employees not covered by another merit service commission, it must comply with this code section. He explained the duties he performs as director in Washington County and explained what should be expected in that department.

Mr. Willie explained that there are college degrees issued specifically for Human Resource Management and he suggested that this type of training should be a requirement of the position. Duties should also include an annual salary recommendation to the Commission as part of the budget process, review and update job descriptions, manage payroll accounts and conduct job interviews.

Mr. Willie suggested the County study a Personal Time Off policy to replace vacation and sick leave. The policy would provide a number of days available to employees to use as they see fit, whether for illness or vacation.

The Commission thanked Mr. Willie for his presentation and asked the County Attorney's Office to review the Code and make a recommendation to the Commission on whether to proceed with establishing a Human Resource Department.

SITLA DISCUSSION :

Kevin Carter, Lou Brown and Kim Christy representing State Institutional Trust Lands came before the Commission to discuss policy with acquisition of road rights of way across

IRON COUNTY COMMISSION MEETING
March 14, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 14, 2005
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Ryan Riddle.

APPROVAL OF MINUTES - February 14, 2005 :

Minutes of the Iron County Commission meeting held February 14, 2005 were approved as amended on a motion by Gene Roundy. Second was Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

APPROVAL OF MINUTES - February 28, 2005 :

Minutes of the Iron County Commission meeting held February 28, 2005 were approved as amended on a motion by Gene Roundy. Second was Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ELECTED OFFICIALS REPORTS :

Scott Garrett reported that all of the offices at the Justice Center are now occupied and

WHEREAS, the Iron County Commission recognizes that by avoiding the installation of septic systems wherever and whenever possible we will help preserve groundwater quality in Iron County; and

WHEREAS, the Iron County Coordinating Council has provided a recommendation to the Board of County Commissioners to consider mandatory hookups for sewer where available; and

WHEREAS, the Iron County Board of County Commissioners has held a public hearing to receive comment on the proposed Ordinance as required by the laws of the State of Utah; and

WHEREAS, the Board of County Commissioners have determined that it is in the best interest of the public health, safety, and welfare of Iron County that this Ordinance be adopted and incorporated into the Iron County Code.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH AS FOLLOWS:

SECTION 1. The document "Sewer Connection Requirements and Regulations" attached hereto is hereby adopted and made a part of the Iron County Code, with necessary formatting, grammatical and spelling revisions as required, and be identified as Chapter 13.12 of the Iron County Code.

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES

To the extent that any ordinances, resolutions or policies of Iron County conflict with the provisions of this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION 4. EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Iron County Board of

SECTION 13.12.010

PURPOSE AND FINDINGS.

(A) Purpose.

It is the purpose of this Chapter to require and regulate sewer connections to available sewage treatment and collections facilities and systems and restrict the permitting and installation of septic systems where public sewer systems are available.

(B) Findings.

To assist Iron County, the Utah Department of Natural Resources (Utah Geological Survey), The United States Geological Survey and the Central Iron County Water Conservancy District are evaluating potential groundwater contamination in the Cedar Valley water basin and recommending appropriate land uses and density designations. Based on their preliminary information Iron County finds:

- (1) That the establishment or installation of septic systems has the potential of being a public nuisance and may contaminate the groundwater of Iron County; and,
- (2) That over permitting of septic systems may endanger the health, safety, and welfare of the owners, occupants, or users of the land; and
- (3) That it is necessary in the interest of the public health, public safety, and general welfare that the establishment or installation of septic systems be prevented whenever and wherever possible; and
- (4) That the groundwater quality must be preserved and fulfills an essential community purpose.

SECTION 13.12.020

DEFINITIONS - for the purposes of this Chapter

A. Definitions.

1. *Dwelling unit or facility* means any structure, building, or any portion thereof which is used, intended, or designed to be occupied for human living purposes including, but not limited to, houses, mobile homes, hotels, motels, apartments, business, and industrial establishments, or any building utilizing plumbing fixtures or water which would require a waste system for disposal purposes.
2. *Municipality or Service District/Area* means a legally created governmental entity within Iron County that owns and operates a central wastewater collection or treatment system or facility approved by Southwest Utah Public Health Department or Utah Department of Environmental Quality
3. *Septic system or Onsite Wastewater System* means a system consisting of an

construction above, within one year of notice to comply issued by Southwest Utah Public Health, when the owner of property is unable to provide information and materials that a septic system permit has been issued by Southwest Utah Public Health Department.

d. Change of Ownership - Connection to central sewer is required, as for new construction above, when the ownership of property changes to another owner, the property is refinanced or

e. New sewer service availability - Connection to a central sewer is required, as for new construction above, within five years of a new central sewer main line becoming available to an existing dwelling or facility.

f. Iron County hereby acknowledges the possibility of utilizing special funding tools (i.e., Special Improvement Districts, Special Service Districts, etc., or other legally recognized methods) when collective connections to sewer may be required by this ordinance.

B. Southwest Utah Public Health Department and Utah Department of Environmental Quality shall be considered the County's expert in evaluating and approving and permitting sewage treatment systems.

C. Waiver of sewer connection requirement. In the event that a sewer connection is required by this ordinance, but is not practically feasible due to 'unusual circumstances', a letter of waiver may be provided by the municipality or service district/area stating the nature of the unusual circumstances. Unusual circumstances shall be determined by the municipality or service district/area owning and maintaining the sewer system where connection is required, and may include such things as grade, physical barriers, insufficient capacity of system, etc. Additionally, the municipality or service district/area shall explain their intent to provide, or not provide, for a future sewer connection, as well as a statement of acknowledgment for the use of an appropriate onsite wastewater system.

D. Nothing in this ordinance shall prohibit the connection to sewer as described herein when a property is beyond the 300 foot connection requirement, if desired by the property owner and for which provisions are made in the appropriate service area inter-local agreement. Iron County encourages connection to central sewer whenever and where ever possible in order to preserve and protect groundwater quality in Iron County.

SECTION 13.12.060

INCORPORATION INTO IRON COUNTY CODE

A. Effect.

Upon this Ordinance being adopted by the Board of County Commissioners of Iron County, Utah, all provisions of this ordinance shall be incorporated into the Iron County Code. All provisions of the Iron County Code that are inconsistent with the express terms of this ordinance shall be repealed. All other provisions of the Iron County Code shall remain in full force and effect as codified.

B. Conflict.

To the extent of any conflict between other County, State, or Federal ordinances or regulations, and this ordinance, the more restrictive is deemed to be controlling.

C. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason, held invalid or unconstitutional by any court or competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

ORDINANCE 203 AMENDMENT TO ORDINANCE 162 :

An amendment to Ordinance 162 which established a Tax Appeals Board was presented by Bryan Steed for approval. The amended Ordinance, Ordinance 203, clarifies the procedure to appeal tax matters to the Commission. After review and no additional public comments, Wayne Smith made a motion to approve the amendment as presented. Second by Gene Roundy.

IRON COUNTY ORDINANCE 203

Adopted March 14, 2005

AN ORDINANCE AMENDING IRON COUNTY ORDINANCE 162 ADOPTED 12 APRIL 1999 ESTABLISHING PROCEDURES IN THE PROCESSING OF REQUESTS FOR REDUCTIONS, WAIVERS, OR REFUNDS OF CERTAIN PROPERTY TAX RELATED FEES IN IRON COUNTY, UTAH, REPEALING ALL ORDINANCES, RESOLUTIONS, OR POLICIES IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE.

The Board of County Commissioners of Iron County, Utah ordain that Ordinance 162 shall be amended as follows:

Section 3.20.010: Uniform Policies Established.

In order to provide consistency of procedure and uniformity of application in the processing of requests for reductions, waivers, or refunds of certain property tax related fees, penalties or interest, the Board of County Commissioners of Iron County, Utah finds

Section 3.20.050: Penalties, Interest and Fees Imposed on Delinquent Property Taxes or Greenbelt Rollback Taxes.

Upon submitting an appropriate application within sixty (60) days after the date of delinquency for property taxes or the date the greenbelt rollback penalty was imposed, interest and penalties may be waived or reduced upon demonstration of the following factors:

- (a) Failure to receive notice of the assessment or of the taxes due based upon an error by the County where it is clear from County records that such error arose solely as a result of the failure or inability of the County to implement information contained in the records;
- (b) Medical circumstances which precluded the taxpayer from both making a timely payment and appointing an agent for such matters;
- (c) When pursuant to Utah Code Ann. 59-2-1347, the best human interest and the interests of the state and County are served by the waiver of or the reduction in the fee.

Section 3.20.060: Penalties Imposed for Failure to File Personal Property Affidavits.

1. The penalty imposed for failure to file a signed and completed affidavit imposed pursuant to Utah Code Ann. 59-2-307 may be waived, reduced, or refunded upon evidence of the following:

- (a) Failure to receive the affidavit form due based upon an error by the County where it is clear from County records that such error arose solely as a result of the failure or inability of the County to implement information contained in the records;
- (b) Medical circumstances which precluded the taxpayer from both making a timely affidavit and appointing an agent for such matters;
- (c) The failure to file the affidavit arose out of a change of ownership with respect to the organization or property and the purchaser of the property reasonably believed, based upon the seller's representations that:
 - 1. Either that all taxes had been paid; or
 - 2. No assessment or request for a statement pursuant to Utah Code Ann. 59-2-306 had been made.

2. No waiver or reduction may be granted where a change in ownership exists and the failure of the buyer to receive notice occurs solely as a result of the buyer's failure to notify the Assessor of the change in ownership.

SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

REPEAL OF CONFLICTING ORDINANCES

To the extent that any ordinances, resolutions or policies of Iron County conflict with the provisions of this ordinance, they are hereby amended to comply with the provisions hereof.

EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Iron County Board of County Commissioners and following notice and publication as required by Utah Code § 17-53-208.

APPROVED, ADOPTED, and PASSED by the Iron County Board of Commissioners this 14th day of March, 2005



IRON COUNTY BOARD OF COMMISSIONERS:

By: Dennis E. Stowell
Dennis E. Stowell, Commission Chairman

ATTEST:

David I. Yardley
David I. Yardley
Iron County Clerk

Approved as to Form:
/s/ Scott F. Garrett
Scott F. Garrett
Iron County Attorney

VOTING	AYE:	NAY	ABSTAIN
Dennis E. Stowell	<u>X</u>	_____	_____
Gene E. Roundy	<u>X</u>	_____	_____
Wayne Smith	<u>X</u>	_____	_____

TAX MATTERS :

Gerri Norwood reported that Digital Tel has been granted bankruptcy protection and that

a motion to approve the appointment as recommended. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Christene also discussed promotion procedure upon completion of POST by Sheriff's Department employees. Because of the date of an amendment to the Personnel Policy, there are a few instances where new employees advance in steps and grade faster than previously hired employees. This matter is to be reviewed in greater detail to determine what can be done to fix this problem.

JUSTICE COURT DISCUSSION & ACTION _____ :

Ken Adams, Justice Court Judge, met with the Commission to discuss issues regarding the combination of data bases of the two locations of the Justice Court. At the present time, the data bases are operating independently of each other which continues to create conflicts when the Cedar City location receipts money for citations which have been written to the Parowan location. This continues to generate warrants for outstanding tickets when no communication is forwarded.

Wayne Smith stated that from an efficiency standpoint, it made sense to combine all Court functions at one location in Cedar City. He also requested that Judge Adams re-adjust his schedule to attend Court a minimum of two full work days per week during regular office hours.

Judge Adams stated that moving the Court should not be done as this takes a needed service from the northern end of the County. He also stated that he is meeting statutory requirements of a Justice Court Judge with the current work schedule.

Wayne Smith then made a motion to relocate all Justice Court functions to the Cedar City Justice Center effective July 1, 2005. Second by Gene Roundy.

Dennis Stowell strongly stated that this is not a necessary action and that the Courts should be allowed to operate independently to provide service to the whole County. He also stated that not enough information is available to show a benefit to moving the Court. He requested that the matter be further studied and that computer data bases be combined to allow sufficient time to determine if communications problems would be resolved. He further stated that the population of the County would be receiving less accessibility to the Courts by combining the locations.

Commissioners Smith and Roundy stated that conflicts have gone on long enough between the two locations and it is time to move to combine staff and services. A vote on the motion was then called for with the vote as follows: Dennis Stowell, No; Gene Roundy, Aye; Wayne Smith, Aye.

SURPLUS PROPERTY BIDS _____ :

Bids were opened for surplus vehicles and equipment including two older pickups and a Bronco.

Gene Roundy made a motion to accept the high bid for each vehicle and for the two dump beds. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Bids for one set of 2004 plat maps were submitted by First American Title Insurance Agency for \$1,550.00 and from Southern Utah Title Company for \$1,251.00. Gene Roundy made a motion to accept the bid of First American Title. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

IRON COUNTY COMMISSION MEETING
March 28, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 28, 2005
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Dennis A. Lowder	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Wayne Smith.

APPROVAL OF MINUTES March 14, 2005 :

Minutes of the Iron County Commission meeting held March 14, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ELECTED OFFICIALS REPORTS :

Dennis Ayers reported that after Board of Equalization hearings that adjustments have been made in the method used to place assessment values on low income housing units. Since nearly 1/3 of all apartments in Iron County are considered low income housing, the tax shift will be noticeable.

recommendation, Gene Roundy made a motion to ratify the action recommended by the hearing officer. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Nay.

CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT MATTERS :

Scott Wilson representing the Central Iron County Water Conservancy District requested that the Commission approve a lease of office space at the Fiddlers Building. He explained that the District is moving toward a major water distribution and system in the unincorporated Cedar Valley area and the office would be used as the major office for the District.

Scott also requested approval of the use of County road rights of way for the installation of water distribution lines and a waiver of encroachment permit fees to install the lines.

The Commission requested a written proposal for rental of the office space and for the waiver of encroachment fees.

Upon recalling the matter for further consideration Commissioner Smith stated that there is a potential for a conflict of interest in his discussion of Water Conservancy District matters because of negotiations to purchase an existing well to be used by the Conservancy District.

Mr. Wilson presented a written request to rent office space at the Fiddlers Building and to waive encroachment fees. Gene Roundy made a motion to waive the encroachment fees and to authorize water lines to be placed in County Road Rights of Way. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

The Commission also approved a proposal for leasing space at the Fiddlers Building with a first right of refusal to purchase the building should the County decide to sell. The County Attorney was requested to draft an agreement for approval and signatures.

JUSTICE COURT DISCUSSION AND ACTION :

The Commission met with citizens and with Justice Court Judge Kenneth Adams to consider action regarding the approved move of the Justice Court location in Parowan to the Cedar City location.

Rose Page read a lengthy statement in which she opposed the move and expressed concern that this is a personality matter between the Commission and Judge Adams regarding hours Judge Adams is available in the office.

Joan Robinson commented that a personality conflict between the Commission and the Judge should not dictate where the office is located. She suggested that the Court stay in Parowan to provide needed Court access to the northern end of the County.

Scott Haycock commented that the County could provide services to two locations by combining access to Court files at both locations, thus maintaining the service level now provided.

Paragonah Mayor, Connie Robinson, stated that Paragonah is in favor of leaving the Court in Parowan to provide service to the north end of the County.

Mayor DC "Dutch" Deutschlander stated that this becomes a major issue with Brian Head as trips to Court in Cedar City expands the time when emergency personnel are not available at Brian Head. He stated that Brian Head is in favor of leaving the Court in Parowan.

Upon completion of this Committee's work, legislation at a national level will be drafted which will outline future utilization of resources including land, water, minerals, timber, recreation, wildlife, protected species and wilderness within the County. Legislation will be patterned after similar programs approved in Nevada and currently being completed in Washington County.

Commissioner Stowell then introduced Randy Johnson who will serve as moderator for the Committee. Members of the assembly then introduced themselves and stated which areas of expertise they represented.

Randy Johnson explained the proposed process in developing the plan. Not all committee members will agree on all issues. This will be noted in the plan along with suggested alternatives. He expects the Committee to work together over this lengthy process with meeting to be scheduled once per month for up to one year. All committee members are expected to be at all meetings.

Reed Erickson represents the County and Municipalities as a Planner with focus on County and Municipal needs.

Terry Keyes represents Economic Development in the County and Municipalities.

Kevin Carter, SITLA representative which is responsible for 140,000 acres of State Trust Lands within Iron County.

Wesley Curtis, a State Land representative will help in the planning process.

Reed Harris, representing Natural Resources manages mitigation funds on endangered species projects. He is heavily involved in Prairie Dog projects.

York Jones represents mining interests. He stated that a solution needs to be reached in allowing access to mining claims on BLM administered lands. Iron County has large deposits of ore that are economically viable to develop.

Donnie Hunter represents wildlife interests as a representative from Sportsman For Wildlife. His concern is with maintaining a viable and healthy deer and elk habitat.

Eldon Schmutz represented the Central Iron County Water Conservancy District. Their focus is in developing and maintaining clean and adequate water resources in the County. He will be replaced on the Committee by Scott Wilson or another Board member as he has a conflict with the meeting schedule.

Alma Adams representing the Farm Bureau will represent livestock and farming interests.

Gerald Sherratt will represent the Mayors Association

Also present were representatives from the Congressional Delegation, Maureen Casper representing Senator Hatch; Mike Empey representing Representative Matheson; and Bruce Richeson representing Senator Bennett.

Additional members to be represented include Forest Guardians as an endangered species non government entity; Paiute Tribe of Utah; Cedar Breaks National Monument; E & I Soil Conservation District; Timber Interests.

Members invited and not able to attend the first meeting included: HC "Dutch" Deutschlander, recreation and trails development; Randy Peck, County Planning and Zoning Committee; John Harja, State Planning Office.

IRON COUNTY COMMISSION MEETING
April 11, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 11, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by David Yardley.

APPROVAL OF MINUTES - March 28, 2005 :

Minutes of the Iron County Commission meeting held March 28, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ELECTED OFFICIALS REPORTS :

David Yardley reported that upon doing background checks and Department approval, the bid for cleaning services as originally approved became unacceptable. He recommended the bid of Garth Jones be approved to include outside maintenance. Gene Roundy made a motion to

ZONE CHANGE WAIVER REQUEST :

William Wilson is requesting a waiver of zoning procedure to re-zone an area within Summit Townsite from Commercial to Residential- R1/2 . The nine property owners involved requested that all property owners be allowed to proceed under one change request which would provide that only one filing fee be paid and costs could be shared by all involved owners. Gene Roundy made a motion to authorize the filing of a multi property zone change with one fee plus all advertising costs. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

COLOR COUNTRY CYCLING CLUB :

Lonnie Wolf and Clair Jensen resented a map of bicycle routes approved by Cedar City which connect to County roads. They requested the County Commission to designate bicycle routes along County roads and to providing adequate signage to alert drivers to the possibility of riders in traffic lanes. The Commission urged Mr. Wolf and Mr. Jensen to express their concerns to the Comprehensive Land Use Plan Committee and to coordinate efforts with the County Trails Committee chaired by Mayor Deutschlander.

CANDLE LAMP RELOCATION INCENTIVE PACKAGE :

A request by Candle Lamp Industries for Tax Incentives as authorized under Economic Development Guideline established by Iron County and Cedar City was presented by Terry Keyes, Economic Development Coordinator. Candle Lamp is discussing building a plant near Cerro Copper for the purpose of making votive candles for use in the commercial food industry. Total possible exposure would be \$112,500 for all taxing entities. Incentive money would be paid to SITLA. Wayne Smith made a motion to approve the proposed incentive agreement as presented. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

REQUEST FOR PRELIMINARY PLAT APPROVAL :

Rett Shakespeare presented for approval a preliminary plat of Northridge at Cross Hollow Phase 2 Subdivision located in Section 20 Township 36 S Range 11 West, SLB&M. Chad Nay reported that the Planning Commission has recommended approval of the preliminary plat with the addition of a 100 foot wide right of way along Westview Drive.

Gene Roundy made a motion to approve the preliminary plat as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

FENCE MATTER :

Dale Robinson came before the Commission with a concern that a fence along his property line on Little Creek Road north of Paragonah continues to be covered with debris by County cleaning of an adjacent flood channel. He requested the Commission to relocated or rebuild the fence. He also suggested the County negotiate the establishment of an adequate right of way to maintain a flood channel from Paragonah town boundary to I-15. The matter was referred to Commissioner Stowell, Steve Platt and Neil Forsyth to determine what action will be needed.

public. Mr Dalton is unable to access his lots as platted because of fences and gates. The matter was referred to the County Attorney for additional research on the matter.

PERSONNEL MATTERS :

Christene Keene presented for approval as new employees Brandon T. Wise, Weeds Department, Seasonal Worker, and Blaine R. Cox - Prairie Dog Specialist, Seasonal Worker. Gene Roundy made a motion to approve Brandon Wise and Blaine R. Cox as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Christene also presented for Promotions: Michael Perrin from EMT Basic to EMT Intermediate; Lethe May from EMT Basic to EMT Intermediate; Rachelle Lister from EMT Basic to EMT Intermediate; Pam Sandberg from EMT Basic to EMT Intermediate; and Brian Tavoian from EMT Basic to EMT Intermediate. Gene Roundy made a motion to approve the promotions as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Christene presented a proposal to settle concerns with a change in policy which resulted in some pay inequities in Jail personnel. Brad Spencer suggested giving employees hired in 2003 an extra step with retroactive effective date to January 1, 2005.

After reviewing options, Gene Roundy made a motion to give eight jail personnel a one step additional increase effective April 16, 2005. Second Wayne Smith. The matter was then discussed and ramifications on other Departments and prior personnel actions were reviewed. A vote was then called with voting as follows The motion died for lack of second. Therefore no adjustments will be made.

Christene presented results from office surveys indicating that County employees prefer trading the current Columbus Day Holiday for the Friday following Thanksgiving. Iron County is currently one of six Counties in the state open on the Thanksgiving Friday. Gene Roundy made a motion to exchange Columbus Day for the Friday following Thanksgiving as a recognized holiday. The motion died for lack of second.

Wayne Smith made a motion to allow each County Office the option of choosing whether to close on the Friday after Thanksgiving citing the Building Inspector and the Engineer request to remain open. The motion died for lack of second.

Wayne Smith then made a motion to exchange Columbus Day for the Friday following Thanksgiving with the option to allow the Building Inspector and Engineer to remain open. Dennis Stowell yielded the Chair and seconded the motion. Voting: Dennis Stowell, Aye; Gene Roundy, No; Wayne Smith, Aye.

Brian Steed Reported on EMS "On-Call" findings by Attorneys Office regarding stand by pay in compliance with FLSA. He reported that it appears that on call wages are not required even though some restrictions are placed on EMS personnel. Further research will be done to make sure County policy is in compliance with FLSA requirements.

SOFTWARE MATTERS :

Erik Jorgensen discussed the possibility of migrating to the software program developed by Box Elder County as a replacement for the current TIBERON system. A current copy of the

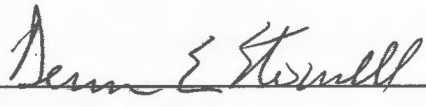
EXECUTIVE SESSION :

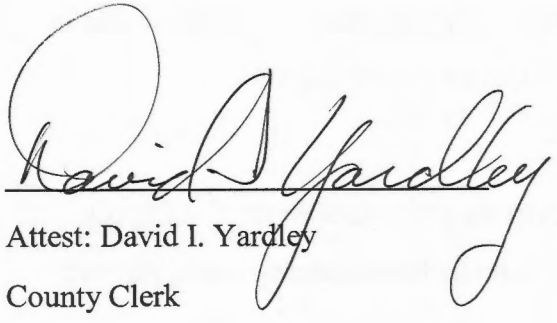
Gene Roundy made a motion to convene in executive session in Compliance with UCA 52-4-5 (1) for the purpose of a strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Executive Session convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of a strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.

Dated this 11th day of April, 2005.


Signed: Dennis E. Stowell, Chairman


Attest: David I. Yardley
County Clerk



FLOOD ISSUES :

A group of residents from the Beryl area came before the Commission to discuss repair of dikes on the Jones property. Mason Jones presented a map outlining the location of existing dikes and areas which were breached in the recent floods on Shoal Creek. With the dikes breached, it allows for Shoal Creek to proceed in its natural channel without allowing for absorption into the aquifer as provided by the dike system. Mason and Steve Jones expressed concern with liability if the dikes are reconstructed and downstream owners are damaged by future floods.

Gene Roundy made a motion to proceed with the repair of the dikes and to provide Jones' with a hold harmless agreement because of flood control activity on their property. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Other property owners present including Niles and Vernon Boshardt and Sterling Harker were in favor of the proposed repairs.

6. The unincorporated area of Parowan Valley from Parowan City limits to the Little Salt Lake along historic flood plains of Center (Parowan) Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
7. The Town of Paragonah along historic flood plains of Red Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
8. The unincorporated area of Parowan Valley from Paragonah Town limits to the Little Salt Lake along historic and designated flood plains and channels of Red Creek and Little Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
9. The Town of Kanarraville along historic flood plains of Kanarra Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
10. The unincorporated area near Kanarraville along historic flood plains of Kanarra Creek and Spring Creek are anticipating the probability of extreme damage to residences, roads, property and infrastructure.
11. The City of Enoch along historic flood plains of Fiddlers Canyon and Coal Creek drainage with the probability of extreme damage to residences, roads, property and infrastructure.
12. Transportation routes are anticipated to be flooded for extended period of time due to high water levels.
13. Prison work crews are filling sand bags to provide to local residents to help prevent damage to residences and sand bags are provided to local groups and subdivisions for use in specific areas.
14. Emergency services personnel continue to assess the circumstances and make reports and suggest action to alleviate and prevent major flood damage.

BANKING MATTERS :

Geri Norwood discussed Maintenance Fees being charged by Wells Fargo to conduct regular banking transactions. Wayne Smith reported that in meetings with bank officials they were unwilling to waive the fees unless the County maintained \$125,000 in each account. State Bank of Southern Utah has agreed to handle County Accounts without fee or without minimum balance.

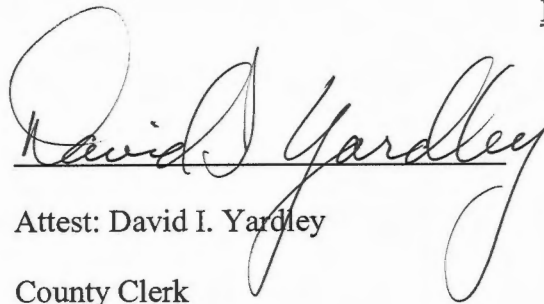
Gene Roundy made a motion to transfer all County Bank accounts to State Bank of Southern Utah effective May 1, 2005. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

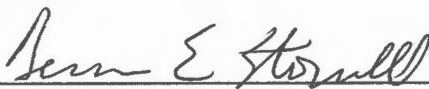
AUDITOR RETIREMENT :

The Commission recalled Dennis Lowder's notice of retirement for further action. Wayne Smith made a motion to accept the notice of retirement of Iron County Auditor, Dennis Lowder's and approved submitting a letter to the Republican Party for a list of names to be considered to fill the unexpired term in compliance with Utah Code 20A-1-508. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 5:50 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.


Attest: David I. Yardley
County Clerk

By: 

Signed: Dennis E. Stowell, Chairman



IRON COUNTY COMMISSION MEETING
April 25, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 25, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Dennis A. Lowder	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer

SYNOPSIS :

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SOFTWARE PURCHASE PROCEDURE	4
SURPLUS PROPERTY PROCEDURES	8
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UHP FUNDING REQUEST	8

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Patsy Cutler.

Metalcraft is paying \$5,000 per month to catch up back taxes. He requested a waiver of interest and penalty during the payoff period as recommended by the Tax Deferral Board.

Brian Steed explained that the ordinance 203 adopted March 14, 2005 prohibits tax relief to commercial businesses. The State Constitution and Utah Code 59-2-1547 also requires equal treatment to all taxpayers. He recommended the Commission deny the request.

Gene Roundy made a motion to extend the current agreement to the 2004 tax year provided all terms of the agreement are kept. If a payment is missed, interest and penalty are to be reinstated. The delinquent tax must be paid of within 30 months. Current year taxes are to be paid on time. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

APPROVAL OF EXEMPTIONS :

Shanna Benson presented Religious, Charitable and Educational Organizations request for property tax exemption for 2005. Gene Roundy made a motion to approve the exemption requests as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PRAIRIE DOG MANAGEMENT :

Keith Day of DWR and the Elfrieda Dalley came before the Commission to discuss the management agreement on the former Dalley farm property purchase as a prairie dog reserve. The management agreement provided that Iron County fund up to \$5,500 per year for the operation and management of the farm. In reviewing payments from 2001 to present, an additional \$5,619 is still owed. Gene Roundy made a motion to pay an outstanding bill to Jenkins Oil for fuel for the Prairie Dog Farm of \$3,398.87 with a second check for \$2,220.13 to the Dalley's. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Keith Day was asked to pursue procedures where the County would transmit funds to DWR as the management partner to be dispersed.

On a conference call with Elise Boeke of the State of Utah Natural Resources concerning a land trade between developers and SITLA for a parcel of property near Enoch. The property will be used to supplement permanent take to allow businesses to proceed with construction plans in 2005. The trade and placement into a prairie dog habitat area will provide enough take on a one time basis to complete proposed development. A Memorandum of Understanding between SITLA, the developer and Iron County stating that it will proceed with a conservation easement on the traded land provided the details of the trade can be worked out.

The need to proceed with development of a new HCP was also discussed. Grant applications are to be submitted by May 24. A \$200,000 grant will be applied for with a 25% local match. Funds are to be used to purchase additional habitat acres.

AMBULANCE MATTERS :

Polly Johnson came before the Commission to request reimbursement for on call time with the ambulance service. As a cost savings budget item, the on call reimbursement of \$0.50

farm portion under cultivation. The Planning Commission has recommended approval.

Reed Erickson stated that this is an excellent example of how a cluster subdivision can work to utilize otherwise waste land.

Wayne Smith made a motion to close the hearing and to approve the minor lot subdivision submitted by Morley Wilson. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PRELIMINARY PLAT APPROVAL :

Justin Wayment, representing Six-Man Development requested approval of Monarch Meadows Subdivision Phase 1 located at approx. 2300 W and 4000 N Cedar City within Sec. 21 T35S R11W SLB&M. Open space areas and a cluster concept were reviewed. Provisions have been made to provide flood control channels to accommodate Coal Creek past the development.

Chad Nay reported that the Planning Commission has recommended approval of the preliminary plat.

Wayne Smith made a motion to approve the proposed plat of Monarch Meadows Subdivision, Phase 1. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

LAW ENFORCEMENT MATTERS :

Sheriff Mark Gower presented a request for a security fence at Justice Center in Cedar to facilitate loading and unloading of prisoners appearing for Court. He explained that this would eliminate several parking spaces to accommodate the enclosure but would prevent prisoners from running when being unloaded. The Commission took the matter under advisement to study the issue and to determine if the elimination of parking spaces would affect access to the building and change compliance with Cedar City building requirements for parking.

IRON COUNTY JUSTICE COURT DISCUSSION :

The Commission reviewed operating procedures for the Iron County Justice Court as follows:

1. The Iron County Justice Court will operate in two locations, the Iron County Courthouse in Parowan and the Iron County Justice Center in Cedar City. Both locations will be open to the public Monday through Friday from 8:00 a.m. to 5:00 p.m and each location will be staffed with a minimum of one court clerk. Brian Head may deliver their hard copy tickets to the Parowan location.

2. Northern Iron County citations (tickets originating in the unincorporated areas of Iron County, Paragonah, Brian Head and Summit) will be scheduled for processing at Parowan.

3. Those citations identified in paragraph 2 above requiring a hearing before a judge will be scheduled for Thursday mornings between the hours of 8:00 a.m. and 12:00 noon. The Judge will otherwise be available to the public at the Parowan location between those hours. In order to comply with State law requiring hearing before a judge on a random basis, the judges will be scheduled in Parowan on a random basis to handle the case load. Additional times may be scheduled to accommodate the case load as needed.

STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Executive Session convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

Dated this 25th day of April, 2005.

Dennis E. Stowell

Signed: Dennis E. Stowell, Chairman

David I. Yardley
Attest: David I. Yardley
County Clerk



FINAL PLAT APPROVAL :

Rett Shakespeare came before the Commission to request approval of the final plat of Northridge at Cross Hollow Phase 2. He explained that the preliminary plat has been approved and the recommended changes have been completed.

Gene Roundy made a motion to approve the final plat of Northridge at Cross Hollows Phase 2. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

COMPREHENSIVE LAND USE PLAN :

Randy Johnson met with the Commission to coordinate efforts in preparing a Comprehensive Land Use Plan for Iron County. The need for a secretary to attend planning meetings was discussed. Diane Lamoreaux from Five County AOG will be asked to take minutes for the planning committee. Dennis Stowell suggested that the County actively invite special interest groups to the sessions to present their concerns.

As a starting point, all of the issues need to be identified and then each specific area of the County needs to have the resources, uses and concerns addressed. The County plan may employ a joint planning process with the BLM however each entity will write their own plan. Data collection will be enhanced for both groups by joint participation.

FAIR MATTERS :

Art Walunas, Stan Johnson and Polly Johnson made a proposal for a full size bronze statue of a horse and rider which they recommended to be used in the County logo. Art also suggested that the statue be located in front of the Courthouse. The horse and rider has been used for several years as the Fair logo on shirts, jackets and posters. The Commission asked about costs of producing such a statue. Mr. Johnson stated that a full size statue would cost approximately \$100,000. A smaller proto type would cost in the \$3,000 range.

The Commission stated that the County does not have the funds to purchase such a piece

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 6:30 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Dennis E. Stowell

Signed: Dennis E. Stowell, Chairman

David I. Yardley

Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
May 9, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 9, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Dennis A. Lowder	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Mark O. Gower	County Sheriff

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Wayne Smith.

APPROVAL OF MINUTES April 25, 2005 :

Minutes of the Iron County Commission meeting held April 25, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PROVIDING FOR AMENDMENTS TO THE GENERAL PLAN OF IRON COUNTY, UTAH (the "General Plan"); SETTING POLICY FOR TIER REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in order to provide for the health, safety and general welfare of the citizens of Iron County, Utah, the County commission is committed to establish and keep current a General Plan that specifies goals relating to land use, housing, the environment, transportation and public facilities and services and policies that facilitate those goals; and

WHEREAS, on October 10, 1995, the County Commission adopted the General Plan of Iron County, Utah as Ordinance 137 in accordance with the provisions of Utah Code Annotated relating to the adoption and content of General Plans in the State of Utah; and

WHEREAS, since the adoption of the General Plan, changes have occurred in the land use patterns, demand for and potential supply of high quality real estate development located in the unincorporated areas of the County, the availability of alternatives for the provision of sewer and water and other public services, the state and local laws and policies related to annexation and development of lands outside of incorporated cities and towns; and

WHEREAS, the County has determined that it needs to make provision for the development of new communities on the condition that those communities demonstrate the ability to provide water, sewer and other traditional public services and to anticipate the economic development of potential of resort and recreation-oriented development; and

WHEREAS, the County has also determined that changes are required in the definition and application of its Tier system and availability of certain land uses for development occurring in certain portions of the County; and

WHEREAS, on June 12, 2000 the County adopted Chapter 13 of the Iron County Zoning Ordinance relating to Development Agreements to create a flexible tool for the implementation of the goals and policies of the General Plan and the County Commission believes the use of Development Agreements may be expanded to establish appropriate uses and development conditions for significant development projects; and

WHEREAS, the County Commission has also established a number of additional policies that should be implemented over the next several years in order to more fully achieve the goals and policies of the General Plan; and

WHEREAS, the Planning Commission of Iron County has held a duly advertised and

VOTING:

Gene E. Roundy Aye

Wayne A. Smith Aye

Dennis E. Stowell Aye

**2005 AMENDMENTS TO THE GENERAL PLAN
OF IRON COUNTY, UTAH**

SECTION I. INTRODUCTION TO GENERAL PLAN POLICY CHANGES

At the time of the consideration and adoption of the General Plan of Iron County, Utah in October of 1995 (the "General Plan"), the County Commission desired to encourage Urban Growth predominately in or adjacent to existing incorporated areas in Iron County. This general policy was consistent with existing Utah annexation law at that time. Prior to 1997, the State's annexation statute contained an annexation provision that contemplated mandatory annexation within the annexation policy boundaries of cities and towns. The General Plan implemented this policy by adopting Urban Growth Boundary and Tier policies favoring development within or immediately adjacent to cities and towns. Specifically, the General Plan designated significant parcels of land adjacent to municipalities as "Tier II" and contemplated that such areas would be municipal expansion areas, and receive municipal type services from those adjacent municipalities.

State law provisions requiring annexation were subsequently repealed, in part, on the basis that such a provision could adversely impact a county's tax base by allowing municipalities to annex only those urban developments that offer the greatest tax benefits. The Tier II policies as presently reflected in the General Plan may unnecessarily restrict and subordinate the County's approval authority over development in Tier II and, over time, may adversely impact the ability of the County to enhance the County's tax base. At present, the only provision of Utah law that restricts the approval of urban development within a municipality's expansion area requires the County to notify a municipality of a proposed development and either (i) the municipality consents in writing to the proposed development or (ii) the municipality objects in writing within 90 days of the notification of the proposed development and the County responds in writing to the municipality's objections.

Over the approximately ten years since the adoption of the General Plan, applications for development and subdivision approvals in unincorporated Iron County have increased significantly. During this period, most of the municipalities have adjusted their proposed annexation boundaries, and substantial inconsistencies presently exist between the boundaries of Tier II and the proposed annexation boundaries of the jurisdictions. These inconsistencies require the adoption of policies to address establishing and changing Tier boundaries and

In order to best accommodate the needs of present and future Iron County residents, consideration must be given to the effective and efficient provision of utilities and public services to satisfy the needs of those residents. Through its land use goals, policies and mapping, the County will encourage Urban Growth with urban levels of density to occur where the development can be served by water and sewage treatment systems. Those areas are generally adjacent to existing city boundaries, in the vicinity of existing development served by existing infrastructure, in areas where extensions of existing infrastructure are contemplated within a reasonable period of time or in areas where water and sewer systems are proposed to be installed by a developer in connection with major development activity. These same areas are also the most likely to be served by other available governmental services. Other areas remote from existing or anticipated infrastructure development are appropriately limited to more traditional rural uses and lower residential densities.

As part of its land use goals and policies, the County has developed Urban Growth and Tier policies. As those policies have developed and been implemented over time, the Tiers have been used to describe geographic locations where certain types of development may be appropriate and has not been used to regulate the timing of that development. The Tier definitions going forward will be as follows:

Tier I, Urbanized Area - land available for Urban Growth within existing municipal boundaries;

Tier II, Urban Expansion Area - land available for Urban Growth within a reasonable proximity to existing municipal boundaries that is eligible to be annexed and served by existing municipal sewer and water capacity or that is not eligible to be annexed but can otherwise be served by existing or planned extensions of central sewer and water infrastructure and capacity;

Tier III, Urbanizing Area - land available for Urban Growth (whether or not in reasonable proximity to a municipal boundary and whether or not served by municipal sewer and water capacity) that can be developed as a new master planned community, village or resort project served with central sewer and water infrastructure and capacity provided through private development, incorporation, special districts, interlocal agreements or other methods and regulated by a County-approved development agreement); and,

Tier IV, Rural Area - areas generally appropriate for agricultural uses and rural densities

established to reflect the annexation boundaries proposed by each of the County's municipalities as of the original date the General Plan was adopted (October 10, 1995). The County anticipates that the Tier II boundaries will be modified to cover areas that have the following characteristics:

- (i) the areas are within reasonable proximity to the existing municipal expansion boundaries or existing urban growth areas with urban levels of density previously approved by the County under prior policies, and
- (ii) the areas can currently be served by municipal or established service provider of sewer and water systems or with planned expansions of appropriate system infrastructure and capacity.

The County will initiate and consider proposals for the reclassification to Tier IV of land within existing Tier II boundaries that does not evidence the above characteristics. After the initial Tier adjustments are made, land classified as Tier IV may be reclassified to Tier II based principally upon the availability of sewer and water infrastructure. At all times and even if the above characteristics are evident, a parcel may be reclassified from Tier II or Tier IV to Tier III based on the policies set forth in Policy LU15.5. The tier boundary adjustments described in this paragraph may be made at any time during the calendar year, regardless of otherwise applicable time limitations for the consideration of General Plan amendments.

The County recognizes that residential development with urban level densities are appropriate within Tier II and Tier III. Lands proposed for rezoning to urban level densities, and are otherwise consistent with the policies set forth herein, are areas that may be considered appropriate for a Tier II or Tier III classification, with the following considerations:

- (i) properties within the Tier II or Tier III that contain at least 40 acres of contiguous property may be considered for a zoning to an urban level density when located within reasonable proximity to other property zoned for residential uses, will be served by central sewer and water provided by a local municipality or other central service provider, and the considerations outlined in Exhibit A are satisfied.

Residential zones with urban level densities are not intended in Tier IV and are inconsistent with the General Plan and the rural purposes and design of Tier IV.

The County may also develop additional policies to be applied to projects in Tier II. Such policies may be adopted as rules and regulations and may be modified without a requirement to amend the General Plan. A preliminary draft of such policies is included in Exhibit A to the 2005 Amendments to provide examples of the types of policies that may be developed. In the absence of the development and adoption of additional or modified policies, the draft policies

a development agreement and the master development plan. The reclassification of land to Tier III may be approved at any time during the calendar year, regardless of otherwise applicable time limitations for the consideration of General Plan amendments. Rules and procedures otherwise applicable to subdivision applications within Tier II shall not be applied to projects applying or approved for development agreements and reclassification to Tier III except to the extent required by applicable Utah state law, and when appropriate subdivision regulations are otherwise provided in the project development agreement.

Any development agreement that approves and regulates a new resort, village or community shall be approved by the same processes used to adopt or amend the Iron County Zoning Ordinance, and any such development agreement shall be deemed to create a separate zoning district and development regulations for the particular new resort, village or community.

The County may adopt a separate zoning district providing for the approval and regulation by development agreement of uses and development standards in new resorts, villages and communities contemplated by these Tier III policies. A preliminary draft of an ordinance containing such a zoning district is included in Exhibit B to the 2005 Amendments. Changes to the draft ordinance may be made without a requirement to amend the General Plan. The ordinance shall be adopted as an amendment to the Iron County Zoning Ordinance.

The County may also develop additional policies to be applied to projects in Tier III. Such policies may be adopted as rules and regulations and may be modified without a requirement to amend the General Plan. A preliminary draft of such policies is included in Exhibit C to the 2005 Amendments to provide examples of the types of policies that may be developed. In the absence of the development and adoption of additional or modified policies, the draft policies included in Exhibit C hereto shall be applied.

G. Amendment to Policy LU16.2. Policy LU16.2 is amended and restated as follows:

Pol LU16.2 The Urbanizing Areas shall relate to the long-range planning, capital improvement programming and service provision horizon, except where a new community, village or resort project can be developed that has the capability to provide central sewer and water through private development, special districts or other methods as assured through a development agreement approved by the County.

H. Addition of New Goal LU21 and Policies LU21.1 and LU21.2. The following additional goal LU21 and policies LU21.1 and LU21.2 are added to the General Plan:

Goal LU21 Promote appropriate financial strategies to assist the County in better balancing the cost of municipal services provided by the County against tax revenue generated from

WHEREAS, the Board of County Commissioners has determined it desirable to establish guidelines and requirements for a new zoning district within Iron County for developments of unincorporated areas of Iron County; and

WHEREAS, Iron County has established a pattern of encouraging development within the unincorporated areas of the County to connect to available public services whenever possible, through subdivision and zoning regulations and inter-local agreements; and

WHEREAS, the Iron County Commission recognizes that by encouraging the concentration of higher density development and the installation of central services to establishing communities sprawl and haphazard growth can be better managed in Iron County; and

WHEREAS, the Iron County Planning Commission has held a public hearing and has provided a recommendation to the Board of County Commissioners to consider the creation of the SPA zoning district; and

WHEREAS, the Iron County Board of County Commissioners has held a public hearing to receive comment on the proposed Ordinance as required by the laws of the State of Utah; and

WHEREAS, the Board of County Commissioners have determined that it is in the best interest of the public health, safety, and welfare of Iron County that this Ordinance be adopted and incorporated into the Iron County Code.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH AS FOLLOWS:

SECTION 1. The document "Zoning District - Specially Planned Areas (SPA)" attached hereto is hereby adopted and made a part of the Iron County Code, with necessary formatting, grammatical and spelling revisions as required, and be identified as Section 506 of the Iron County Zoning Ordinance.

SECTION 2. This ordinance shall take effect upon its passage by a majority vote of the Iron County Board of County Commissioners and following notice and publication as required by law.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 9th day of May, 2005.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: Dennis E. Stowell

Dennis E. Stowell, Chairman



ATTEST:

David I. Yardley
David I. Yardley,
County Clerk

execute a Development Agreement authorizing and regulating the new community, village or resort at the time of rezoning the subject property to the SPA zone. For purposes of this finding, the Development Agreement must contain the elements of a Development Agreement described in subparagraphs a. through h. of Section 13-4.0 of the Iron County Zoning Ordinance;

(3) that the proposed new community, village or resort is described in a conceptual master development plan showing the general configuration of the project, including the general location of development areas and including the types of uses contemplated within each development area, major community roads, recreational and open space amenity areas reasonably anticipated to meet the needs of the residents, any public facilities and other features of the project, which conceptual master development plan is incorporated into and to be adopted along with the Development Agreement;

(4) that the applicant has demonstrated the feasibility of obtaining centralized water and sewer services to serve the requirements of the community, village or resort and the Development Agreement contains a mechanism to assure the provision of such services in connection with any development approved pursuant to the Development Agreement;

(5) that the applicant has demonstrated the feasibility of obtaining police, public safety and fire services to the reasonable satisfaction of Iron County and the Development Agreement contains a mechanism to assure the provision and financing of such services in connection with any development approved pursuant to the Development Agreement;

(6) that the applicant has demonstrated the feasibility of providing fire flow, storage and other facilities relating to public safety as may be required by generally applicable standards of the County and the Development Agreement contains a mechanism to assure the provision of such facilities in connection with any development approved pursuant to the Development Agreement.

(7) that the applicant has demonstrated the feasibility of providing on and off-site drainage ways and facilities to adequately discharge surface run-off generated or increased by the project and the Development Agreement contains a mechanism to assure the provision of such facilities in connection with any development approved pursuant to the Development Agreement;

(8) that the applicant has demonstrated the adequacy of the proposed transportation systems, including consideration of efficient vehicular circulation to, from and within the development and the provision of pedestrian and bicycle trails and ways within the development and the Development Agreement contains a mechanism to assure the provision of such services in connection with any development approved pursuant to the Development Agreement;

(9) that the proposed new community, village or resort is reasonably likely to provide to

(3) A statement addressing each of the above required findings and any findings required for the approval and adoption of a Development Agreement. The statement shall be accompanied by such information as may be necessary or appropriate to allow the County to assess the project in light of the required findings. Such additional information may include, without limitation, information addressing the feasibility of the project obtaining or providing central water and sewer, adequate storm drainage facilities, police, public safety and fire services, fire flows and storage. In addition, the applicant shall provide an analysis of the revenues and costs, including capital and operating expenditures, of affected governmental agencies and an evaluation of the overall fiscal impact of the proposed development on Iron County.

(4) The County may require the submission of additional preliminary site development information including slope analysis, the location of wetlands, wildlife habitats, and other sensitive lands and other conceptual planning information to the extent reasonably necessary to permit the County to evaluate the proposed development.

(5) The applicant is encouraged to have a pre-application conference with County planning and building officials to ascertain the appropriate scope of any additional information that may reasonably be expected in connection with any application for a SPA and Development Agreement approval.

(6) In evaluating an application for a proposed 'new community' (involving more than 640 acres and 1000 housing units and not oriented to resort or recreational amenities) under the provisions of this SPA Zone ordinance, the Planning Commission and County Commission may consider additional factors such as housing mix, employment development, the availability of retail and health care options to serve the new community and the availability of school capacity and other similar community elements in approving any proposal.

(7) The applications shall be processed in accordance with normal processes for the adoption or amendment of a General Plan and the adoption or amendment of a Zoning Ordinance and Zoning Map. Upon approval, the ordinance reclassifying the property to a SPA Zone and the ordinance adopting the Development Agreement and the conceptual master development plan shall be published as amendments to the Iron County Zoning Ordinance and shall be recorded against the land covered by the project approvals.

PUBLIC HEARING FINAL PLAT APPROVAL :

Wayne Smith made a motion to open a public hearing to receive comments regarding final approval of the subdivision plat of Northridge at Cross Hollow Phase II. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Chad Nay stated that the final plat is in compliance with the recommendations of the Planning Commission and has been amended to show widened roads where requested. The Planning Commission has recommended approval.

and explained the advantages of working together as a group through the Alliance.

Gene Roundy made a motion to authorize a payment to join the Western Counties Alliance for one year. The progress of the lobbying effort will be reviewed at that time. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ORDINANCE 204 PERSONNEL MANAGEMENT ACT :

Brian Steed presented for review a draft of Ordinance 204 which would establish a County Personnel Department. Dennis Stowell questioned the designation of a Chief Deputy as an "at will" employee in each elected office as provided in State Code. Currently Chief Deputies are merit positions. The Commission determined that this issue needs further study and recommendations from Departments. The matter was tabled.

ELECTED OFFICIALS PERSONNEL MATTER :

Wayne Smith made a motion to convene in executive session in compliance with UCA 52-4-5 (1) to discuss a personnel matter. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Executive Session convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

Dated this 9th day of May, 2005.

David I. Yardley

Attest: David I. Yardley
County Clerk



TAX MATTERS

Dennis E. Stowell
Signed: Dennis E. Stowell, Chairman

A request for deferral of property tax payment by Darrell C. Mc Mahon and Paula W. Mc Mahon on Tax Serial Number E-0185-0004-0000 in the amount of \$5,094.31 was presented for approval. Mr. Mc Mahon stated in his application that due to illness and loss of his job that taxes could not be paid. The application did not contain a required waiver from the mortgage holder.

Gene Roundy made a motion to approve the tax deferral agreement contingent upon Mr. Mc Mahon furnishing the agreed to payment of \$500.00 for May 2005 and a fully executed approval of the lien holders. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Not present for vote.

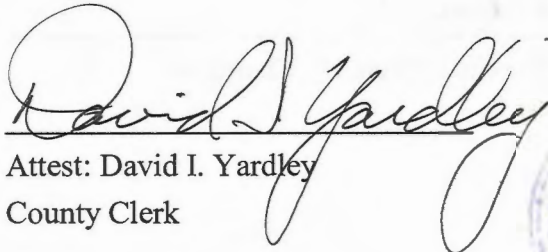
MBA HEALTH INSURANCE UPDATE :

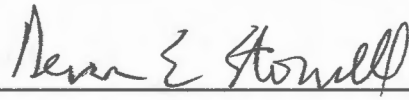
Joe Ott, Jeff Monson and other representatives of MBA Health Insurance discussed with the Commission the way insurance rates are computed. They discussed the strengths and


STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Executive Session convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

Dated this 9th day of May, 2005.


Attest: David I. Yardley
County Clerk


Signed: Dennis E. Stowell, Chairman



After reconvening in open session Gene Roundy made a motion to approve all of the EMT candidates except Michael Williams to allow further evaluation of Mr. Williams. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

INTERVIEW AND SELECTION OF AUDITOR :

The Commission introduced three candidates submitted by the Republican Party for consideration as the County Auditor to fill the unexpired term of Dennis Lowder as Iron County Auditor in compliance with Utah Code 20A-1-508. Candidates included Joseph H. Gubler, Glen N. Barker and H. Eugene Adams. The three candidates were then interviewed in open session by the Commission.

Wayne Smith disclosed a Conflict in that Joseph Gubler was a partner at one time in a business deal and that Mr. Gubler has been his tax accountant for many years.

Candidates were asked to explain any conflicts with County Officials or any legal problems they have experienced. Mr. Gubler explained that he was prosecuted by former County Attorney Scott Burns for keying a car. He was found guilty of a Class B Misdemeanor and paid restitution for the damage to the vehicle. The other two candidates stated that they have not been prosecuted for any criminal activity but stated that they have received a traffic citation in the past.

Other questions included accounting experience, management skills, familiarity with Government Accounting Standards, time commitment to the position and when they would be available to start.

After interviews were completed Gene Roundy made a motion to convene in executive session to discuss the character, professional competence, or physical or mental health of an individuals. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

IRON COUNTY COMMISSION MEETING
May 23, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 23, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Brian Steed	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Dennis A. Lowder	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Mark O. Gower	County Sheriff

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FIFE FARMS REQUEST FOR ROAD IMPROVEMENT SID	3
PERSONNEL MATTERS	4
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PROPOSED UDOT ROAD TRANSFERS	5
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TAX MATTERS	3
UDOT ROAD FUND OVERPAYMENT	5
WATER CONSERVANCY DISTRICT MATTERS	4

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Dennis Lowder.

ELECTED OFFICIALS REPORTS :

Patsy Cutler reported that the tax sale scheduled for May 26 has generated much interest and her office has been busy providing plat maps and information to prospective bidders.

Geri Norwood reported that at the present time there are 139 parcels still listed on the tax sale. These include three residences. The possibility of redeeming the remaining residences was discussed.

Dennis Lowder also discussed issues with the tax sale. A parcel which is landlocked in Paragonah which is located in a field owned by Ralph Lister was reviewed. Utah Code allows

REFUND REQUEST FOR MONEY HELD IN CRIMINAL CASE :

Charles Mitchell came before the Commission to request a refund of \$880 which had been used in the David W. Dude Benson investigation. The funds have been replaced by restitution paid by former Sheriff Benson. The County Attorney has recommended the funds be returned.

Gene Roundy made a motion to return the funds as recommended. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

CONDITIONAL USE PERMIT NOTIFICATION :

Chad Nay reported on an application for a conditional use permit for a recreation & commercial use in Sec.19, T35S, R12W from Amy and Kevin Phillips. The proposed use would be for a drag strip and would be located West of Iron Springs. Current Zoning is Industrial. No action is needed by the Commission at this time.

FIFE FARMS REQUEST FOR ROAD IMPROVEMENT SID :

John Martineau representing property owners in Fife Farms area, an unplatted subdivision, requested a Special Improvement District for upgrading their roads. Questions about road ownership were discussed. Mr. Martineau stated that property owners were willing to deed appropriate rights of way for the roads. Gene Roundy made a motion to proceed with a SID for Fife Farms and to authorize the County Engineer to proceed with a cost estimate. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

TAX MATTERS :

Gale Dorrity and his son Michael Dorrity came before the Commission to request an extension of time to remove trailers from property in the Escalante Valley identified as Tax Serial Number E-1376-10; Account 407541 and described as follows: N1/2SW1/4SW1/4 SEC 34,T35S,R16W, & S1/2NW1/4SW1/4 SEC 34,T35S,R16W, SLB&M; SUBJECT TO ACCESS & UTILITY EASE 33 FT ALONG THE EASTERLY EDGE SAID PROPERTY. In 2004 Mr. Dorrity came before the Commission to request a tax deferral. At that time he was given one year to remove the illegal trailers. If the trailers were moved, the delinquent assessments for services would be adjusted to reflect the removal of the illegal trailers.

Michael Dorrity explained in the current request that the floods in January have hampered their efforts to remove the trailers and other debris. The Dorrity's were not willing to admit that there is a tax owing on the property. The Commission explained the agreement from last year and questioned if any trailers have been removed. Mr. Dorrity stated that no action has occurred.

Gene Roundy made a motion to allow the property to proceed to tax sale as specified in the agreement from 2004. Second by Wayne Smith. The motion died on a vote as follows: Voting: Dennis Stowell, No; Gene Roundy, Aye; Wayne Smith, No.

Wayne Smith then made a substitute motion to allow Mr. Gale Dorrity to deed the property to Iron County for a period of four months to allow the County to remove the parcel from the tax sale. After four months, if the property is not cleared of unpermitted trailers and vehicles, the County would proceed with clearing and selling the property. Vehicles and mobile

UDOT ROAD FUND OVERPAYMENT :

Wayne Smith made a motion to approve a refund for an error by UDOT. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PROPOSED UDOT ROAD TRANSFERS :

A proposal by UDOT to transfer State maintained and designated highways to the County was discussed. The matter is to be placed on the next agenda and Scott Munson, District Engineer with UDOT is to be invited to discuss this issue.

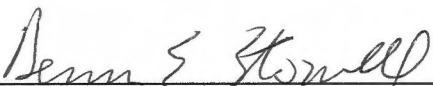
APHIS CONTRACT FOR PREDATOR CONTROL ON PRAIRIE DOG AREAS :

A request for approval of a contract with APHIS to provide predator control on Prairie Dog transfer sites was reviewed. Under current conditions coyotes and badgers remove prairie dogs as soon as they are transplanted making the survival rate very low.

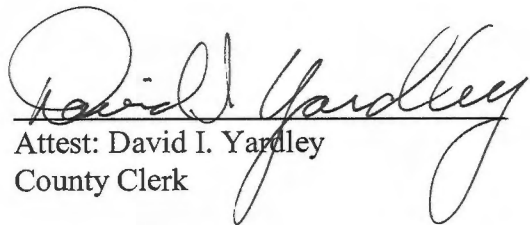
Wayne Smith made a motion to approve the contract with APHIS. Second by Gene Roundy. Voting: Dennis Stowell, Not Present; Gene Roundy, Aye; Wayne Smith, Aye.

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 4:30 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Not Present; Gene Roundy, Aye; Wayne Smith, Aye.



Signed: Dennis E. Stowell, Chairman


Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
June 13, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 13, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Absent:

Wayne A. Smith	Commissioner
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SYNOPSIS :

AFFORDABLE HOUSING PLAN DISCUSSION	6
APPROVAL OF MINOR LOT SUBDIVISION	2, 3
APPROVAL OF MINUTES May 9, 2005	1
APPROVAL OF MINUTES May 23, 2005	1
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PROPOSED ROAD TRANSFERS FROM UDOT TO COUNTY	3
THREE PEAKS WATER SERVICE DISCUSSION	6

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Christene Keene.

APPROVAL OF MINUTES May 9, 2005 :

Minutes of the Iron County Commission meeting held May 9, 2005 were approved as amended on a motion by Gene Roundy. Second was by Dennis Stowell. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

APPROVAL OF MINUTES May 23, 2005 :

Minutes of the Iron County Commission meeting held May 23, 2005 were approved as amended on a motion Gene Roundy. Second was by Dennis Stowell. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

APPROVAL OF MINOR LOT SUBDIVISION :

The Frank Blackburn Family requested approval of a minor lot subdivision located in Section 36 Township 34 South Range 10 West, SLB&M containing 6.09 Acres. The property is located adjacent to Blackburn's present home and would be developed as a separate lot to construct an addition home for a family member. The property is on the road to the Summit Cemetery.

Gene Roundy made a motion to approve the minor lot subdivision as recommended by the Planning Commission. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

PROPOSED ROAD TRANSFERS FROM UDOT TO COUNTY :

The Commission discussed a road study conducted by UDOT which proposes to transfer maintenance of some current State Highways to Counties for maintenance. The two roads in Iron County under consideration are the road from Parowan to Paragonah ending at I-15 and a portion of SR 143 from Brian Head to the Garfield County line (Panguitch Lake Road). Another State maintained road recommended to be turned over to local jurisdiction is Center Street in Cedar City and surrounding the campus of Southern Utah University.

The Commission recommended that the County oppose any transfer from State Jurisdiction to County, especially the Panguitch Lake Highway which is a major collector road between Brian Head and Panguitch with permanent residents in Brian Head and Panguitch Lake.

CERTIFICATION OF 2005 TAX SALE & RELATED MATTERS :

Christene Keene presented results of the annual tax sale for approval and certification. Vera Swenson requested that the sale to her be disallowed on one parcel because she assumed the legal description referred to a different parcel. Ms. Swenson paid \$15,000 for the parcel in active bidding.

Scott Garrett reviewed State Code which was read prior to the sale and which governs the operation of the tax sale. It clearly states that all sales are final. The notice printed on the advertisement of the sale and the instructions given to the public at the start of the sale explained that sales would be final and successful bidders would be responsible for payment in full of the bid amount.

Gene Roundy made a motion to certify results of the annual tax sale as established on the day of the sale. Second by Dennis Stowell. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

ORDINANCE 204 COUNTY PERSONNEL MANAGEMENT ACT :

Brian Steed discussed the position of Chief Deputy as described in the draft of Ordinance 204. The main concern is how to provide for a change in an elected official with existing Chief Deputy's and if/where in the merit system they would fit. Also if a Chief Deputy is chosen, how are they handled on a change of Elected Official. After reviewing concerns expressed by Elected Officials, the matter was tabled and referred back to the Attorney's Office for further refinement.

IHC REPORT AND CANCER CENTER CAMPAIGN :

Steve Smoot reported to the Commission on IHC Service to the Community for 2004. Charity care has increased from \$625,000 in 2002 to \$1,007,000 in 2004. Patient days have

Gene Roundy made a motion to approve the position and to authorize hiring an additional traffic officer. Second by Dennis Stowell. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

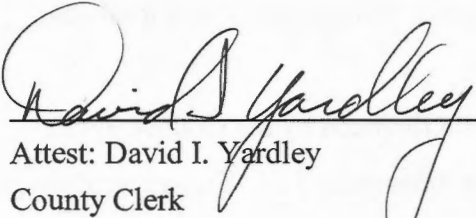
EXECUTIVE SESSION PERSONNEL MATTER :

Gene Roundy made a motion to convene in executive session to discuss a personnel matter in compliance with UCA 52-4-5 (1). Second by Dennis Stowell. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

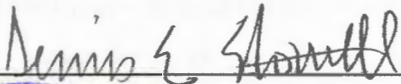
STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Executive Session convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

Dated this 13th day of June, 2005.


Attest: David I. Yardley
County Clerk




Signed: Dennis E. Stowell, Chairman

After reconvening in open session, Gene Roundy made a motion to terminate the employment of Charles Mortensen as an EMT Basic. Second by Dennis Stowell. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

FLOOD ISSUES AND RELATED MATTERS :

Roger DiBenedict came before the Commission to discuss flooding on 200 South and west of the freeway in Parowan Valley. The road has been closed because of a washout which cannot be repaired until the flood water subsides. There are buried telephone cables in the area which are major trunk lines. Mr. DiBenedict stated that it caused inconvenience to go to town by having to go either through Summit or back to the Parowan Gap road.

Commissioner Stowell explained that as soon as the water subsides and the road crews can work on this area, the road will be repaired.

Steve Platt reported to the Commission on efforts to protect the County from flooding. Bob Evans has billed the County \$11,000 for work performed in May in the Parowan valley. Phil Schmidt has billed \$65,000. He has been paid \$22,000 to date. Steve requested approval of payment of an additional \$30,000 at this time. Gene Roundy made a motion to approve the payments for work performed. Second by Dennis Stowell. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

The Commission requested that Steve compile a list of hired work and locations so that the appropriate entity's can be billed for their appropriate share of flood control costs.

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 4:30 p.m. on a motion by Gene Roundy. Second by Dennis Stowell. Voting: Gene Roundy, Aye; Dennis Stowell, Aye.

Dennis E. Stowell

Signed: Dennis E. Stowell, Chairman

David I. Yardley
Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
June 27, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 27, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
Karen LeFevre	Deputy County Clerk

Also Present:

Dennis A. Lowder	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Erik Jorgensen	Computer Department
Joe Gubler	Auditor Appointee

SYNOPSIS :

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LAND EXCHANGE PRAIRIE DOG HABITAT	15
PERSONNEL MATTERS	16
PLEDGE OF ALLEGIANCE	1
PUBLIC HEARING MINOR LOT SUBDIVISION KEVIN PHILLIPS	4
PUBLIC HEARING ZONE CHANGE LINFORD NELSON	2
RESOLUTION 2005-3 2005 BUDGET AMENDMENT	3
ROAD ISSUES	4
SETH JONES SCOUT MERIT BADGE	3
STUDENT VOLUNTEER AWARDS	4
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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Geri Norwood.

ELECTED OFFICIALS REPORTS :

Geri Norwood expressed concern over the increasing number of returned checks from all areas. She suggested that the County may want to go with cash only or credit cards and refuse any out of town checks. The Commissioner decided to invite the two justice judges in at the next meeting to discuss what ways are available and best for the County. Another concern was with

After a sometimes heated exchange of comments from all concerned, Commissioner Stowell reminded the assembly that the motion before the commission was for a zone change and that the majority of the comments did not address that situation. The road issue was important and he asked both Chad Nay and Reed Erickson to please put roads on the top of their list for the comprehensive land plan committee discussions.

A motion to approve the zone change was made by Wayne Smith with Gene Roundy seconding. Voting: Dennis Stowell, No; Gene Roundy, Aye; Wayne Smith, Aye.

SETH JONES SCOUT MERIT BADGE _____ :

Commissioner Roundy recognized Seth Jones who was present to earn a merit badge for the scouting program.

RESOLUTION 2005-3 2005 BUDGET AMENDMENT _____ :

Because of an increase in the certified tax rate, the 2005 budget needed to be amended. The 2005 approved budget was \$2,507,078. With the certified tax rate the correct amount is \$2,664,215. Gene Roundy made a motion to adopt resolution 2005-3. Second by Wayne Smith.

RESOLUTION 2005-3

A RESOLUTION OF THE IRON COUNTY COMMISSION APPROVING AN AMENDMENT TO THE 2005 IRON COUNTY BUDGET

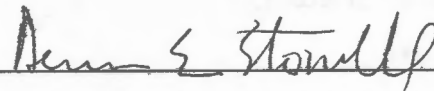
WHEREAS, Iron County is experiencing changes from growth in new construction and home building; and

WHEREAS, said new growth may generate additional tax revenue that was not included in tax revenue calculations; and

WHEREAS, this new growth revenue affects the Certified Tax Rate; now therefore

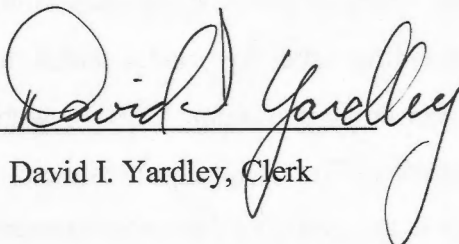
BE IT RESOLVED that the 2005 budget of Iron County is hereby amended to reflect an increase of \$115,684 as allowed by Utah State Code.

BY ORDER OF the Board of Iron County Commissioners this 27th day of June, 2005.



Signed: Dennis E. Stowell, Chairman

Attest:


David I. Yardley, Clerk



Voting:

Wayne A. Smith	Aye
Dennis E. Stowell	Aye
Gene E. Roundy	Aye

classified as merit employees. Chief Deputy wages will be frozen for the remainder of 2005 or until their position is reviewed . The Chief Deputies pay will be addressed when the appointed personnel director reviews current job descriptions and pay rates.

Wayne Smith made a motion to approve and adopt Ordinance 204. Gene Roundy seconded the motion.

IRON COUNTY, UTAH ORDINANCE 204

Adopted June 27, 2005

**AN ORDINANCE OF THE IRON COUNTY BOARD OF COMMISSIONERS
CREATING A CAREER SERVICE COUNCIL AND AN OFFICE OF
PERSONNEL MANAGEMENT FOR IRON COUNTY, UTAH.**

WHEREAS, Iron County currently employs more than 300 employees, and the Iron County Board of Commissioners is committed to better addressing the needs of the County Employees; and

WHEREAS, more than 200 Iron County employees are not currently served by an existing Merit Commission; and

WHEREAS, the County Personnel Management Act, Utah Code Ann. 17-33-1 through 17-33-15, governs the establishment of a Career Service Council and Office of Personnel Management for Counties which have not fewer than 200 employees; and

WHEREAS, the Iron County Board of Commissioners desires to establish a County office to address the human resource concerns of Iron County.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH AS FOLLOWS:

Section 1. That the procedures, requirements, and functions of the Career Service Council and Office of Personnel Management in and for Iron County be incorporated into the Iron County Code, and such procedures, requirements, and functions be identified within a new Title 2 Chapter 3 of the Iron County Code.

SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

TITLE 2
CHAPTER 3
IRON COUNTY CODE

SECTION 2.03.10 Intent.

It is the purpose and intent of this Chapter to create a Career Service Council and Office of Personnel Management in and for Iron County, Utah.

SECTION 2.03.20 Career Service Council—Creation.

There is hereby created a Career Service Council in and for Iron County. The Career Service Council shall consist of three bipartisan members appointed by the Board of Iron County Commissioners. The members of the Council shall be persons in sympathy with the application of merit principles to public employment.

- A. Each Council member shall serve a term of three years to expire on June 30, three years after the date of his or her appointment, except that original appointees shall be chosen as follows: one member for a term expiring June 30, 2006; one member for a term expiring June 30, 2007; and one member with a term expiring June 30, 2008. Successors of the original Council members shall be chosen for three-year terms.
- B. An appointment to fill an unexpected vacancy on the council shall be for only the unexpired term of the original appointee.
- C. A member of the Council may be removed from the Council by the Board of Iron County Commissioners for cause, after having been given a copy of the charges against him or her and after having an opportunity to be heard publicly on the charges before the County Commission.
- D. Members of the Council shall be United States citizens and be actual and bona fide residents of the state of Utah and Iron County for a period of not less than one year preceding the date of appointment.
- E. Members of the Council may not hold another government office or be employed by Iron County.
- F. Council Members shall receive compensation for each day or partial day they are in session at a per diem rate determined by the Board of Iron County Commissioners.

2. shall review written appeals in cases of applicants rejected for examination and report final binding appeals decisions, in writing, to the Board of Iron County Commissioners;
 3. may not hear any other personnel matter; and
 4. may affirm, modify, vacate, or set aside an order for disciplinary action. Any action taken by the Council shall be in writing.
- C. Any person adversely affected by a decision of the Council may appeal the decision to the district court. An appeal to the district court under this subsection is barred unless it is filed within 30 days after the Council issues its decision.
- D. The Council shall have subpoena power to compel attendance of witnesses, and to authorize witness fees where it deems appropriate, to be paid at the same rate as in the Iron County Justice Court.
- E. The Council shall assist in selecting the Director of Personnel Management. The Council shall perform the following duties in assisting the selection process:
1. advertise and recruit for the Director of Personnel Management in the same manner as for merit positions;
 2. select three names from a register; and
 3. submit those names as recommendations to the Board of Iron County Commissioners.

Section 2.03.40 Office of Personnel Management—Creation and Duties

There is hereby created the Office of Personnel Management in and for Iron County. The Office of Personnel Management shall be a department level position in Iron County, and shall be staffed by at least the Director of Personnel Management and any other employees necessary to fulfill the functions of the Office, as determined by the Director of Personnel Management and the Board of Iron County Commissioners.

- A. The Office of Personnel Management shall be administered by the Director of Personnel Management.
- B. The Office of Personnel Management shall:

- A. The Board of Iron County Commissioners shall ensure that the Director is a person with proven experience in personnel management.
- B. The Director of Personnel Management shall:
1. encourage and exercise leadership in the development of expertise in personnel administration within the several departments, offices, and agencies in the County service and make available the facilities of the Office of Personnel Management to this end;
 2. advise the Board of Iron County Commissioners and other County agencies, departments and offices in the use of human resources;
 3. develop and implement programs for the improvement of employee effectiveness, such as training, safety, health, counseling, and welfare;
 4. investigate periodically the operation and effect of this law, Utah Code Ann. 17-33-1 through 15, and any policies generated as a result of this law or the State statute, and report findings and recommendation to the Board of Iron County Commissioners;
 5. establish and maintain records of all employees in the county service, setting forth as to each employee class, title, pay or status, and other relevant data;
 6. make an annual report to the Board of Iron County Commissioners regarding the work of the Office of Personnel Management;
 7. apply and carry out this law, Utah Code Ann. 17-33-1 through 15, and any policies generated as a result of this law or the State statute, and perform any other lawful acts that are necessary to carry out the provisions of the law, State Statute, and policies.
- C. The Director of Personnel Management shall recommend personnel rules for Iron County. The Board of Iron County Commissioners may approve, amend, or reject those rules before they are adopted.
- D. The rules recommended by the Director shall provide for:
1. recruiting efforts to be planned and carried out in a manner that assures

10. lists of eligible applicants normally to be used, if available, for filling temporary positions, and short term emergency appointments to be made without regard to the other provisions of law to provide for maintenance of essential services in an emergency situation where normal procedures are not practical, these emergency appointments not to exceed 90 days, with that period extendable for a period not to exceed an additional 90 days for cause;
11. promotion and career ladder advancement of employees to higher level positions and assurance that all persons promoted are qualified for the position;
12. recognition of equivalency of other merit processes by waiving, at the discretion of the Director, the open competitive examination for placement in the career service positions of those who were originally selected through a competitive examination process in another governmental entity, the individual in those cases, to serve a probationary period;
13. preparation, maintenance, and revision of a position classification plan for all positions in the career service, based upon similarity of duties performed and responsibilities assumed, so that the same qualifications may reasonably be required for, and the same schedule of pay may be equitably applied to, all positions in the same class, the compensation plan, in order to maintain a high quality public work force, to take into account the responsibility and difficulty of the work, the comparative pay and benefits needed to compete in the labor market and to stay in proper alignment with other similar government units, and other factors;
14. keeping records of performance on all employees in the career service and requiring consideration of performance records in determining salary increases, any benefits for meritorious service, promotions, the order of layoffs and reinstatements, demotions, discharges, and transfers;
15. establishment of a plan governing layoffs resulting from lack of funds or work, abolition of positions, or material changes in duties or organization, and governing re-employment of persons laid off, taking into account with regard to layoffs and re-employment the relative ability, seniority, and merit of each employee;

take over and discharge the duties of the elected county officer in the absence or disability of the originally responsible officer;

3. Non-Career employees compensated for their services on a seasonal or contractual basis who are hired on an emergency or seasonal basis, or other employees hired on a temporary basis;
 4. Part-time employees as defined in Iron County's policies and procedures; and
 5. Any other employee detailed in Utah Code Ann. § 17-33-8, if any is assigned.
- B. Any career service employee accepting an appointment to an exempt position who is not retained by the appointing officer or subsequent appointing officer, unless discharged for cause under Utah State Law or under the Iron County Policies and Procedures, shall:
1. be appointed to any career service position for which the employee qualifies. The employee shall be compensated in a pay grade comparable to the employee's last position plus any advancement in pay that the employee would have received through normal step in grade progression had the employee remained in the career service position.

The need for a career service council was discussed. The Commissioners will accept names from anyone or any source in the county. The suggested people cannot be currently employed by the County. From the list, the Commission will choose three people to sit on this council and they will be compensated for their time. The rate and the members will be discussed at the next meeting

LAND EXCHANGE PRAIRIE DOG HABITAT :

Mervin Prince and Kevin DeMille came to the Commission for help with a proposed development in the Enoch area. They proposed a medium sized subdivision on property with active prairie dog colony. Since the Commission could not grant the take of these dogs, they were exploring the possibility of asking the School and Institutional Trust Lands for an exchange of property. In return, a conservation easement would be obtained and placed on 230 acres within and adjacent to Enoch City which would become a protected prairie dog site.

Elise Boke representing the Federal Fish and Wildlife Service met with the parties to help

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 4:30 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Dennis E. Stowell

Signed: Dennis E. Stowell, Chairman

David I. Yardley

Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
July 11, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 11, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Rose Page.

APPROVAL OF MINUTES June 13, 2005 :

Minutes of the Iron County Commission meeting held June 13, 2005 were approved as amended on a motion by Gene Roundy. Second was by Dennis Stowell. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

APPROVAL OF MINUTES June 27, 2005 :

Minutes of the Iron County Commission meeting held June 27, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

zone. The Commission explained that the proposed change would not affect the operation as it is now constituted.

After all comments were received and discussed, Wayne Smith made a motion to approve the zone change as requested. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PUBLIC HEARING ZONE CHANGE R-1 to R-1/2 Sec. 19 T35S R12W, SLB&M :

Gene Roundy made a motion to open a public hearing to receive comments regarding a proposed zone change. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Michael and Sally Reily have requested a zone change from Residential 1 to Residential ½ on property located in Section 19, Township 34 South Range 12 West, SLB&M. The property was not included in a previous zone change request for surrounding parcels.

Chad Nay explained that a zone change was recently approved for adjacent parcels along the Midvalley Road corridor. This parcel was not included. The Planning Commission recommended approval.

There were no comments in opposition to the proposed change. Wayne Smith made a motion to approve the zone change as requested. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye. Recommendation

PRELIMINARY AND FINAL PLAT APPROVAL WESTVIEW ESTATES PHASE III :

Chad Nay presented for approval the preliminary plat of Westview Estates Phase III. The proposed plat has been reviewed and approved by the Planning Commission and they have recommended approval.

Rhet Shakespear and David Taylor explained the progress in developing the subdivision area and the requests for lots within the subdivisions.

There were no comments in opposition to the proposed preliminary plat and upon the recommendation of the Planning Commission, Gene Roundy made a motion to approve the preliminary plat of Westview Estates Phase III Subdivision. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

The matter was then presented for approval of the final plat. Chad Nay reported that the final plat meets all of the requirements recommended by the planning commission and he recommended approval. Gene Roundy made a motion to approve the final plat of Westview Estates Unit III and authorize the Commission Chair to sign the plat. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

RETURNED CHECK POLICY DISCUSSION :

Geri Norwood, Joe Gubler and Margaret Miller discussed the problem with returned checks. It appears that the problem is mainly with checks received by the Justice Court for fine payments. At the present time, the County does not charge a returned check fee. Residents of interstate compact states can have their driving privileges suspended. Nevada and California do not honor the interstate compact and this is where a majority of the returned checks originate.

CANVASS OF BALLOTS FOR SCHOOL BOND ELECTION :

At 12:00 noon the Commissioners convened to canvass the results of the 2004 School Bond election. Absentee ballots and provisional ballots were reviewed and registered voters whose ballots were postmarked correctly were counted. Results and certification will be attached as a separate entry.

DISCUSSION OF PARCELS WITH UNPAID TAXES BEING SUBDIVIDED :

Geri Norwood and Patsy Cutler discussed with the Commission the matter of properties being subdivided with taxes due. The County requires that all taxes are paid current as verified by a certificate from the Treasurer's Office. Cities do not always comply with this policy and it becomes difficult to apportion the taxes to the subdivided parcels.

Reed Erickson stated that this is not a requirement for cities to comply with the payment of taxes for the current year. He suggested that the County adopt an ordinance requiring taxes to be current before a plat can be filed. The matter was tabled for further research.

BID OPENING RFP ON SOFTWARE PROGRAMING :

Erik Jorgensen met with the Commission to review RFP results for software for the tax system within the County. Three options seem to be most favorable. They include a portion of Cassell Software, a component of Eagle Software or the Box Elder system. There are also combinations of different packages within the software. Erik explained differences and concerns with each of the vendors.

Geri Norwood explained that she is comfortable with the Cassell accounting system. The problem with this program is that it is to undergo a major rewrite in the near future. Any purchase of this component would require an upgrade clause.

Patsy Cutler explained that she is more comfortable with the Box Elder recording program because it was written with Utah Laws as the guide. The Eagle system is a nation wide system that has been modified to fit Utah law.

Financing options and possible implementation schedules were discussed after which the matter was tabled to allow additional information to be submitted by the vendors.

PAROWAN CITY/IRON COUNTY FLOOD ISSUES DISCUSSION :

Mayor Ron Smith, Councilmen John Robertson and Lloyd Benson and Public Works Director Kelly Stones met with the Commission to discuss reimbursement of costs for flood control in Parowan.

Steve Platt explained the preparations for the expected flooding early in the spring. This included building several diversion structures and the development of two flood control channels. As the flooding progressed in May, as the need arose, County equipment was used in controlling the flooding to save structures and minimize damage to infrastructure. At all times, it was the County's understanding that Albert Orton was the Emergency Coordinator for Parowan City and he had authority to authorize work being done. Work performed by Bob Evans at the request of Mr. Orton was billed and paid by Iron County. Parowan City's share was then billed to Parowan.

US FOREST SERVICE FIELD TRIP DISCUSSION & PLANNING :

The Commission discussed a planned field trip with the Forest Service to observe a proposed expansion of the Ashdown Gorge Wilderness Area. Rides will be provided to approximately twenty people. It will be a requirement to have a four wheel drive vehicle to reach the area. Lunch will be provided by the County. The tour will be held in conjunction with the Commission meeting scheduled for July 26.

ROAD MAINTENANCE ISSUES :

Dennis Stowell presented a request from Brad Guymon to repair a road in the Kanarra mountain area. He explained that the County improved the road several years ago. After work was completed, Mr. Guymon placed a locked gate at the entrance to his property.

The Commission stated that no work is to be done on a private road with no public access.

COURT SECURITY ISSUES :

The Commission reviewed a letter from Fifth District Court Administrator Rick Davis inviting the County to participate in funding a major renovation of Court space at the County Courthouse to bring the court security up to their recommended standard. The Commission authorized a letter to be written to the District Court denying their offer to participate at this time.

PLANNER POSITION DISCUSSION :

John Williams, executive director of the Five County AOG to discuss the Circuit Planner position in Iron County. Cedar City has agreed to pay their portion of the Planner budget until September 1. At that time, cost of the Planner will be distributed among the remaining County and Municipal participants.

Mr. Williams discussed options for an increase in salary for the position which included a proposal to give an additional step increase as authorized under their personnel policy. After discussing all options, Gene Roundy made a motion to recommend the increase as authorized in the AOG personnel policy. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

MOSQUITO ISSUES :

The Commission discussed trapping and controlling of mosquitos which have proliferated due to the extremely wet spring and the abundance of water in drainage areas. The mosquitos will continue to be monitored for West Nile Virus and areas will be treated where practical to help control the insects.

IRON COUNTY COMMISSION MEETING
July 26, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 26, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Joseph H. Gubler	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Mark O. Gower	County Sheriff

SYNOPSIS :

APPROVAL OF WARRANTS & ADJOURN	5
BID OPENING CDBG FUNDED PROJECT	4
DISCUSSION OF LETTERS OF CREDIT	4
DISCUSSION OF SOFTWARE PROPOSALS	3
ELECTED OFFICIALS REPORTS	1
EXECUTIVE SESSION PERSONNEL MATTER	3
FLOOD MATTERS	5
JUSTICE COURT MATTERS	4
PERSONNEL MATTERS	2
PLEDGE OF ALLEGIANCE	1
PUBLIC HEARING DEVELOPMENT AGREEMENT	3
ROAD MATTERS	5
VICTIMS ADVOCATE DISCUSSION	2

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Dennis Stowell.

ELECTED OFFICIALS REPORTS :

Dennis Ayers reported on feed back his office is receiving from residents regarding a tax increase on their property. The increases are caused by revaluation as required by State law and by an additional assessment from the School District Bond issue. The Assessing and Collecting line item also increased due to changes mandated by the State Legislature to require receiving Counties to tax at a higher rate to cover costs of Assessing and Collecting.

Mark Gower reported on an incident in the Beryl area where residents were concerned with dust and traffic hazards created by farming operations of Escalante Valley Farms personnel. The matter is to a point that action needs to be taken before someone is assaulted. Sheriff

Gene Roundy made a motion to authorize employees to donate vacation time as requested.
Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

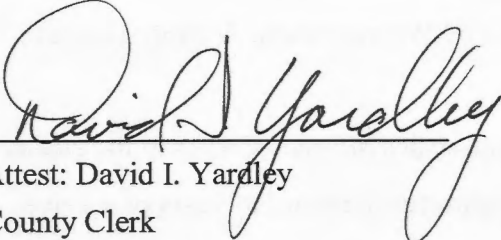
EXECUTIVE SESSION PERSONNEL MATTER :

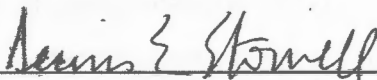
Gene Roundy made a motion to convene in executive session in compliance with UCA 52-4-5 to discuss a personnel matter. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Executive Session convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

Dated this 26th day of July, 2005.


Attest: David I. Yardley
County Clerk


Signed: Dennis E. Stowell, Chairman



After reconvening in open session, the Commission stated that a report has been received from the County Workers Compensation Fund carrier regarding a claim by a County employee. No action was needed or taken.

DISCUSSION OF SOFTWARE PROPOSALS :

Eric Jorgensen reported to the Commission on the status of software proposals for a replacement of the Tiberon software currently being used in the County Offices. Options under consideration include Tyler Technology solution, Box Elder solution and a combination of Caselle software or Incode software in combination with either Tyler or Box Elder. Since there are questions that have not been answered at this time, a decision on which programs to purchase was tabled until the next Commission meeting.

PUBLIC HEARING DEVELOPMENT AGREEMENT :

Gene Roundy made a motion to open a public hearing to receive comments regarding a development agreement. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

A development agreement between Iron County, Central Iron County Water Conservancy District and developers of West View Estates Unit 3 and North Ridge at Cross Hollow Subdivisions were presented for discussion. Chad Nay reported that an agreement to provide water to the subdivisions has been entered into by the Developers and the CICWCD. The agreement with Iron County would be to authorize the agreement to satisfy development

Steve Platt stated that the Engineer's Office could monitor the installation of improvements and should be involved with inspecting infrastructure when development is done. He felt this could be accomplished within the time restraints of the letter of credit. The matter was tabled and referred to the Planning Commission for a recommendation on the use of letters of credit.

FLOOD MATTERS _____ :


Steve Platt reviewed the need for a truck to haul rip rap material to stabilize flood channel banks to prevent further maintenance problems. By using Road trucks, the rip rap damages the beds and diminish the life of the beds. Steve suggested that a rock truck be purchased to be used under the direction of the Engineer department in establishing and maintaining flood channels. He also reported that a truck was available for \$47,000. The purchase was referred to Commissioner Smith to determine if the truck was suitable and was in line with current vehicle values.

ROAD MATTERS _____ :

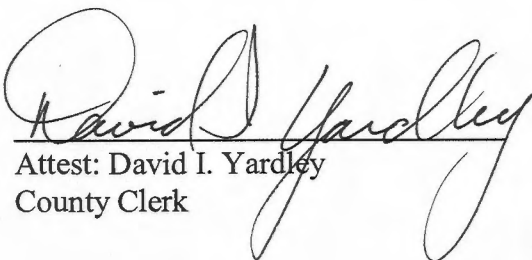
Steve Platt also reported on a request from developers to improve and bring to County standards the plated roads in the 3200 Subdivision. Currently the subdivision has been minimally developed with no improvements to the roads within the subdivision. The Commission stated they were not opposed to the owners developing the roads within the subdivision and bringing them to County standards. The County is making no commitment to maintain the roads or to provide winter access to mountain subdivisions.

APPROVAL OF WARRANTS & ADJOURN _____ :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 12:00 p.m. to attend a tour sponsored by the Dixie National Forest of a proposed addition to the Ashdown Gorge Wilderness Area on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.



Signed: Dennis E. Stowell, Chairman



Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
August 8, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. August 8, 2005
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

SYNOPSIS :

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APPROVAL OF PROCESS FOR UNCLAIMED PROPERTY	2
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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Wayne Smith.

APPROVAL OF MINUTES - July 11, 2005 :

Minutes of the Iron County Commission meeting held July 11, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ELECTED OFFICIALS REPORTS :

David Yardley reported on a meeting with the Lt. Governor, Gary Herbert regarding the acquisition of touch screen voting machines to comply with the Help America Vote Act. A meeting is to be held at Southern Utah University on August 11 at 6:00 p.m.

Gene Roundy reported on a meeting with Utah State Department of Transportation officials regarding a proposed transfer of UDOT roads to Counties. UDOT has proposed turning the road from Parowan to Paragonah and then to I-15 to the County for maintenance. The Commission expressed concern with a flood channel along the East side of the highway from Paragonah to the I-15 interchange.

within Mr. Gardner's farm. In order to clarify ownership deeds have been prepared to show Iron County owning the road and the County deeding the parcel within Mr. Gardner's fence to him.

Wayne Smith made a motion to approve the County executing the deeds transferring the questioned parcel to Mr. Gardner contingent upon a review of legal descriptions by the County Engineer. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

BID OPENING ROAD IMPROVEMENTS :

Bids were opened on a road improvement project from Old Highway 91 near Kanarraville to the overpass on I-15. A single bid was received from Mel Clark Inc. for \$194,375.00 The bid package contained the required bid bond.

Wayne Smith made a motion to award the bid to Mel Clark pending review by the County Engineer to make sure the bid conformed to the bid specifications. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

SAFETY EQUIPMENT FOR EMERGENCY RESPONSE TEAMS :

Brad Spencer, Jail Commander, came before the Commission to request safety equipment to provide protection to personnel responding to incidents, especially in the Federal Housing unit. He explained that the configuration of the housing unit placed guards in danger in responding to fights in the unit. He requested \$6,500 to purchase helmets, shields, throat protectors and other miscellaneous equipment to protect a SWAT team to respond within the Jail.

Wayne Smith made a motion to approve the purchase of safety equipment up to \$10,000. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

BUREAU OF LAND MANAGEMENT COOPERATIVE AGENCY STATUS :

BLM Representative Todd Christensen, Pete Wilkins, Beaver County Commissioners Chad Johnson and Mark Whitney, Beaver County Administrative Assistant Brian Harris, County Planner Reed Erickson, Wes Curtis, Randy Johnson Comprehensive Land Use Committee members met to discuss the sharing of data in the planning process for both Counties and the BLM. The BLM is in the process of updating their use plan for the Beaver River Resource Area and much of the data being collected by the County in their Comprehensive Land Use Plan will be helpful.

A proposed agreement for sharing data as a cooperative agency was discussed. Todd Christensen noted some minor changes in language and requested time to submit the document with changes to the Washington DC office for their approval.

Reed Erickson discussed the need to establish a time line in gathering data to finish the County Plan. The scope of the plan was also discussed. The plan should contain projections for five to ten years, ten to twenty years, and twenty up to fifty years. It should be done on a land parcel level in a digital comprehensive format.

No action was needed on this matter at this time.

PERSONNEL MATTERS :

Christene Keene presented for approval Glenn Halterman, as an Assistant County

unloading prisoners. Prisoners should have a secure entrance that is not accessible to the public. He also suggested that security cameras be provided and monitored of courtroom proceedings and traffic in halls. Mr. Rose suggested that funding may be available through the Office of Homeland Security or through the use of funds from the Court Security Surcharge.

The Commission requested that Mr. Rose meet with a member of the Commission and other County representatives to review concerns at the Justice Center in Cedar City and at the County Offices in Parowan. A meeting was scheduled for August 16th to review proposals.

REPORT ON SOFTWARE UPGRADES _____ :

Erik Jorgensen reported that it is his recommendation to proceed with Eagle Software to provide tax software for County operations. He is still waiting for information from Incode on questions about their RFP. For a seamless operation of software, he is recommending that the County go with Tyler Companies which includes Eagle and Incode. He is still waiting on comments on bank reconciliation and other modules from the Treasurer's Office. Incode has agreed to provide the information in a timely manner.

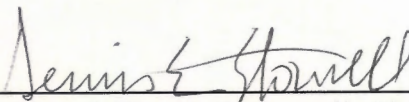
After receiving Erik's report, Gene Roundy made a motion to proceed with software upgrades as soon as possible. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PRAIRIE DOG MATTERS _____ :

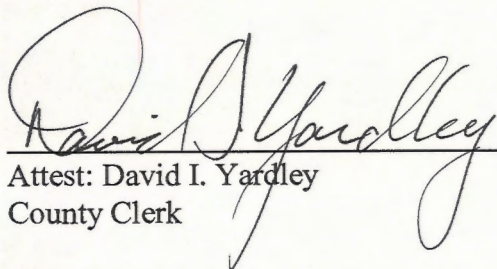
The Commission met with city officials from Enoch to discuss a proposed conservation easement on property near Enoch. Dennis Stowell explained the Habitat Conservation Plan and the need for additional prairie dog take in the County. Neil Curtis questioned why Enoch was required to participate and suggested that the County refrain from entering an agreement on the Prince property. The Commission explained that Enoch was welcome to pursue the matter with the Federal Fish and Wildlife Service and see if they could negotiate a separate agreement or pursue their own HCP.

APPROVAL OF WARRANTS & ADJOURN _____ :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 5:30 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.



Signed: Dennis E. Stowell, Chairman



Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
August 22, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. August 22, 2005
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Joseph H. Gubler	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Mark O. Gower	County Sheriff

SYNOPSIS :

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ORDINANCE 207 AUTHORIZING VACATE/AMEND MIDVALLEY ESTATES	3
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ROAD MAINTENANCE AGREEMENT	11
SENIOR CITIZENS CENTER EXPANSION PROJECT	4
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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Erik Jorgensen.

proposal to vacate and amend Lot 6 Block 9 Midvalley Estates to divide existing lot into two separate parcels. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Chad Nay reported that the matter has been before the Planning Commission and they have recommended approval of the proposed vacate and amend request. The proposed change is within current zoning standards.

Rachel DeMille, property owner, stated that the process has taken a long time and they would like approval so that the plat could be filed in the Recorder's Office.

ORDINANCE 207 AUTHORIZING VACATE/AMEND MIDVALLEY ESTATES :

After the foregoing public hearing was closed, Wayne Smith made a motion to adopt Iron County Ordinance 207 as follows: Second was by Gene Roundy.

**IRON COUNTY
ORDINANCE 207**

**AN ORDINANCE OF IRON COUNTY VACATING AND AMENDING
THE ORIGINAL PLAT OF MIDVALLEY ESTATES SUBDIVISION, PHASE 2**

WHEREAS, this matter came before the Board of County Commissioners of Iron County, Utah to vacate a portion of the original plat of Midvalley Estates Subdivision, Phase 2 ; and authorize the filing of amended Midvalley Estates Subdivision, Phase 2; and,

WHEREAS, the Board of County Commissioners of Iron County, Utah is authorized by Utah Code Annotated 1953 as amended § 17-27-810 to vacate, alter, or amend a plat, any portion of a plat, or any street or lot; and

WHEREAS, the Board of County Commissioners of Iron County, Utah, upon notice and hearing , having duly considered the application and determined there is good cause proposed for the amendment and that neither the public nor any person will be materially injured by the amending of and approving the filing of Amended ; now therefore:

The Board of Commissioners of the County of Iron, State of Utah ordains as follows:

1. Vacate and amend Lot 6, Block 9 , Midvalley Estates Subdivision, Phase 2; and
2. Authorize the filing of an Amended Plat of Midvalley Estates Subdivision, Phase 2.

This Ordinance shall take effect upon publication in the manner provided by §17-15-1, Utah Code Annotated 1953, as amended and all provisions shall be severable so that if any section, clause, or term is held unconstitutional or contrary to law the void character shall not effect any of the remaining portion of this ordinance.

Approved, passed and adopted this 22nd day of August , 2005 by the Board of Iron County Commissioners in regular session assembled, in and at their regular place of meeting.

Enterprises for the expansion project. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

DISTRICT COURT SCHEDULE FOR 2006 :

Judge James Shumate and Rick Davis, Court Administrator met with the Commission to discuss the use of the County Courthouse for District Court hearings. It is proposed that the zip code of the plaintiff will determine where the case is assigned. Cases from Parowan, Brian Head, Paragonah and Summit will be scheduled to be heard in Parowan. All criminal cases will be scheduled for Cedar City.

Senator Tom Hatch questioned the need to do an extensive remodel of the Courthouse in Parowan if no criminal cases will be heard here. Judge Shumate responded that some changes could be made but the majority of the security issues such as a secure entrance for prisoners may be a moot point.

Mayor Constance Robinson questioned a proposal that District Court officers are representing as an agreement. She explained that Rick Davis presented the proposal to the Mayors and Commissioners but no vote was taken and no agreement was reached regarding the location of hearings before the District Court.

Dennis Stowell read a letter from Jeff Rose and then stated that a majority of the proposed changes by the State were not needed and that such an architect proposal by the State with no County input was not acceptable. No action was taken at this time.

CAREER SERVICE COUNCIL REPORT :

The Career Service Council met with the Commission to discuss a proposed job description for the position of Personnel Director. They discussed supervisory authority of the Director. The Commission reviewed the job description and requested that it be sent to Mike Swallow for a grade recommendation.

Wayne Smith made a motion to approve the job description and to submit the description to Mike Swallow for a recommendation on a grade. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

The Commission also received a report from Christene Keene regarding payment of Career Service Council members for attendance at meetings. Most Counties reimburse \$50.00 per meeting. Wayne Smith made a motion to set reimbursement of Career Service Council members at \$50.00 per meeting as recommended. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

MEMORANDUM OF UNDERSTANDING COOPERATING AGENCIES :

Reed Erickson and Wesley Curtis discussed with the Commission a draft of a MOU for cooperating agencies with proposed changes included as requested by the BLM. After the document was reviewed, Gene Roundy made a motion to submit the agreement to the BLM for their approval. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Reed and Wes also discussed a "Scope of Work" document for drafting a comprehensive

VOTING:	AYE	NAY
Dennis E. Stowell	<u> X </u>	_____
Gene E. Roundy	<u> X </u>	_____
Wayne A. Smith	<u> X </u>	_____

PLANNING SOFTWARE PROGRAM DEMO, DISCUSSION & APPROVAL :

Reed Erickson, Jared Wilson and Wes Curtis discussed a proposal to establish a new web page for planning with a link from the current County web site. The web site would be a place to put appropriate data for review by individuals and agencies to access data being used in the planning process and to allow for response.

Several proposed software packages were discussed including 3-D Nature and Community Vis. Training could be completed through the internet. AGRC has not been available to determine what they have available. The matter was tabled at this time.

PERSONNEL MATTERS :

Christene Keene presented for approval the following promotions: Thomas Putnam from EMT Basic to EMT Intermediate; Thomas Cole Mitchell from EMT Basic to EMT Intermediate; Elizabeth Jones from EMT Basic to EMT Intermediate; Travis Benson from Road Worker to Lead Road Worker. Gene Roundy made a motion to approve the promotions as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

A request for an additional Part Time Clerk in the Assessor's Office Motor Vehicle Cedar City Office was approved on a motion by Gene Roundy. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

A proposal to amend Section 5A of the County Personnel Policy regarding Disciplinary Action was discussed and approved on a motion by Gene Roundy. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

A request for an additional full time employee in the Ambulance department was tabled because it has not been properly noticed.

EXECUTIVE SESSION PERSONNEL MATTER :

Gene Roundy made a motion to convene in Executive Session in Compliance with UCA 52-4-5 to discuss the character, professional competence, or physical or mental health of an individual. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby

UTAH WHICH ADOPTS THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

WHEREAS, Homeland Security Presidential Directive / HSPD-5, dated 28 Feb 2003 establishes the National Incident management System (NIMS); and

WHEREAS, the NIMS establishes a single comprehensive approach to domestic incident management to ensure that all levels of government across the nation have the capability to work efficiently together using a notional approach to domestic incident management; and

WHEREAS, the NIMS provides a consistent nationwide approach for Federal, State and local government to work together to prepare for and respond to, and recover from domestic incidents regardless of cause, size and complexity; and

WHEREAS, the NIMS provides for interoperability and compatibility among Federal, State, and local capabilities and includes a core set of concepts, principals, terminology and technologies covering the incident command system, unified command, training, management or resources and reporting; and

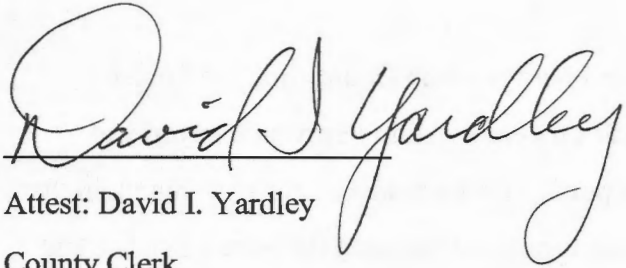
WHEREAS, beginning 24 October 2004 all Federal departments and agencies shall make adoption of NIMS a requirement to the extent of the law, for providing Federal preparedness assistance through grants, contracts or other activities to local government; and

WHEREAS, Iron County desires to participate in the National Incident Management System ("NIMS") (hereinafter "NIMS Resolution"); and

WHEREAS, in order to become compliant with the requirements of Homeland Security Presidential Directive HSPD-5 dated 28 Feb 2003, legislative action by the County Legislative Body of Iron County, Utah is required;

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Iron County that Resolution Number 2005-4 is hereby adopted as follows:

1. Recitals.
 1. Homeland Security Presidential Directive / HSPD-5, 28 Feb 2003 established NIMS.
 2. NIMS establishes a single, comprehensive approach to domestic incident management to ensure that all levels of government across


Attest: David I. Yardley
County Clerk

Approved as to Form:

Scott F. Garrett
Iron County Attorney

VOTING	AYE:	NAY	ABSTAIN
Dennis E. Stowell	<u> X </u>	_____	_____
Gene E. Roundy	<u> X </u>	_____	_____
Wayne Smith	<u> X </u>	_____	_____

FLOOD MATTERS :

A complaint by Darren Lauritzen for maintenance and repair of flood damage on 200 South in Parowan Valley was discussed. Due to the location of telephone cables and the continued flow of flood water, the road has not been repaired. The road crew is working on this stretch at this time and work will be completed as quickly as possible.

ROAD DEPARTMENT DISTRIBUTION EQUIPMENT DISCUSSION & APPROVAL :

A request to purchase an oil distributor was presented for approval. A used distributor has been located with a proposed purchase price of \$72,500.

Gene Roundy made a motion to refer the purchase to Wayne Smith and to authorize the purchase if the equipment is satisfactory. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

CONTRACT APPROVAL ELECTION EQUIPMENT IRON COUNTY/STATE OF UTAH :

Gene Roundy made a motion to approve a contract with the State of Utah, Lt. Governor's Office for the purchase and use of the Diebold Election System as recommended by the State. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

IRON COUNTY COMMISSION MEETING
September 12, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 12, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Wayne Smith.

APPROVAL OF MINUTES August 8, 2005 :

Minutes of the Iron County Commission meeting held August 8, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

APPROVAL OF MINUTES August 22, 2005 :

Minutes of the Iron County Commission meeting held August 22, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

The Nature Conservancy requested support of the Commission for the project upon which Wayne Smith made a motion not to oppose the conservation easements for properties within Iron County subject existing easements and roads and a showing that easements do not interfere with historic livestock trails, existing uses, and roads. Also the property owners are to be subject to County Zoning Ordinances at the time application is requested for permits. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

JAIL EXPANSION DISCUSSION :

LT. Brad Spencer and Sheriff Gower met with the Commission to discuss the need for additional space to house County prisoners at the jail due to increased prisoner population. Currently there is a shortage of female beds and housing for weekend prisoners. It was determined that the first step in the process is to contact Cedar City to amend the conditional use permit to allow additional housing area to be constructed. Commissioner Smith will contact Mayor Sherratt to explain the need and to start the amendment process.

THREE PEAKS RECREATION WATER SYSTEM AGREEMENTS :

Scott Wilson, representing the Central Iron County Water Conservancy District, came before the Commission to request approval of an agreement for water facilities to be located in the Three Peaks area. He presented the following for consideration by the County:

- (1). The Central Iron County WCD will construct the 3 Peaks water system at an approximate cost of \$200,000 in accordance with Steve Platt's design criteria in his letter dated August 15, 2005.
- (2). The Central Iron County WCD would share dollar for dollar in repair, maintenance, and operations costs up to an annual maximum to the Central Iron County WCD of \$2,500 per year.
- (3). The Central Iron County WCD would provide all sampling and testing to keep the system legal with the State and EPA.
- (4). The County would contribute what water rights are presently in the "dry" well at the recreation site up to a maximum of 10 acre-feet.
- (5). The Central Iron County WCD would have to obtain financing to construct the system and would begin immediately to locate and obtain the funding to construct the system.
- (6). Future additions to the 3 Peaks water system would be approved and authorized in advance by the Central Iron County WCD since the system would be required to be constructed in accordance with State approved standards.

Gene Roundy made a motion to support the proposed agreement and to authorize the County Attorney to draft an interlocal agreement in conjunction with the WCD for signatures. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PAROWAN AIRPORT EXPANSION PROJECT :

Jared Black, Parowan City Manager and David Hartman, Armstrong Consultants met with the Commission to review a proposed improvement to the Parowan airport. The city has received funding through the FAA to install a taxiway. There are 32 prairie dogs which will be removed however 12 have been trapped. This will require an additional take of 20 dogs.

The Commission explained that SITLA has developed a prairie dog bank in which

for three years at which time the current Redevelopment Agency Agreement is to expire. The proposed amendment would add the taxing entity, Central Iron County Water Conservancy District. After review, Gene Roundy made a motion to approve the amended agreement as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

BID OPENING AMBULANCE :

Ron Johnson presented bids for a new ambulance. Seven bid packages were sent out of which two were returned with the following bids:

Rocky Mountain Ambulance	\$103,000.00
Professional Sales & Service	\$120,392.01

Gene Roundy made a motion to accept the low bid upon completion of a review of the bids to determine if they were in compliance with specifications. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PERSONNEL MATTERS :

Christene Keene presented for approval new employees Brent Dunlap as a Full Time Sheriff Deputy and Bryan Mount as a full time Custodian. Gene Roundy made a motion to approve the new employees as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Christene also reported that Laura Carpenter, a Jail line officer has requested extended sick leave and is need of donated vacation hours. Gene Roundy made a motion to approve the extended sick leave and authorization of employees donating their vacation time. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Ron Johnson presented a proposed policy for Ambulance personnel to resume active status. Before returning to active status, EMT's that have been inactive will be required to recertify. A complete copy of the policy will be added to the Ambulance Operating Manual. Gene Roundy made a motion to approve the proposed policy. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Ron also presented a request for an additional Full Time Paramedic. He explained that with the additional position better coverage will be provided with a reduction in over time now being paid. Wayne Smith made a motion to approve the additional Paramedic position. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Dennis Ayers requested a job description approval for a Deputy Assessor/Motor Vehicle Specialist. He also requested replacing two part time positions in Parowan with one full time employee. Wayne Smith made a motion to approve the job description and the full time position. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

SILTA PRAIRIE DOG BANK PURCHASE CREDITS :

Kevin Carter, SITLA Director, met with the Commission to discuss the availability of Prairie Dogs from the SITLA bank. There are 77 dogs available this year. Cost to purchase the take from the Prairie Dog Bank was determined from the appraised value of the site, \$250 per acre for a total value of \$126,000. Prairie dog credits therefore will be marketed for \$1,636 plus

matter will be referred to the Planning Commission to consider an amendment to the Land Management Code for a non-buildable zone in historic lake beds or areas below the 2005 flood level.

PROCLAMATION ON FAMILY :

The following proclamation was introduced and approved on a motion by Wayne Smith. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

IRON COUNTY, UTAH

PROCLAMATION

2005 FAMILY DAY

WHEREAS the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children;

WHEREAS surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs;

WHEREAS teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes;

WHEREAS teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes;

WHEREAS the correlation between family dinners and reduced risk for teen substance abuse are well documented;

WHEREAS parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers;

WHEREAS family dinners have long constituted a substantial pillar of family life in America:

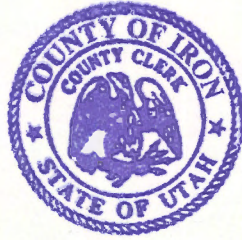
Now, therefore, the Iron County Commission, does hereby proclaim the fourth Monday in September as:

Family Day – A Day to Eat Dinner With Your Children

and urge all citizens of Iron County to recognize and participate in its observance.

Attest:

David I. Yardley
David I. Yardley
Iron County Clerk



VOTING:

AYE

NAY

Dennis E. Stowell

X

Gene E. Roundy

X

Wayne A. Smith

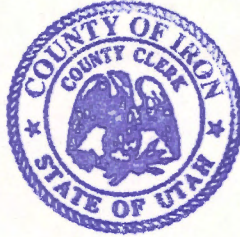
X

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 5:30 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Dennis E. Stowell
Signed: Dennis E. Stowell, Chairman

David I. Yardley
Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
September 26, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 26, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Joseph H. Gubler	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Mark O. Gower	County Sheriff

SYNOPSIS :

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FINAL PLAT APPROVAL ALLARD RANCH AMENDED	8
JAIL MATTERS	7
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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Geri Norwood.

a motion by Gene Roundy. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Gene Roundy also made a motion to place the applications from Gene Shutter and Michael Dalia on hold until documentation as required has been submitted. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PUBLIC HEARING TIER CHANGE :

Gene Roundy made a motion to open a public hearing to receive comments on a proposed tier change located in Section 9 Township 39 South Range 12 West SLB&M. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Reed Erickson explained that the tier change is located next to Checkshani Cliffs Subdivision and would be developed as Phase II of Checkshani Cliffs. Currently there are nine houses under construction in Checkshani Cliffs. Lot size in the proposed tier will be limited to R-5 due to the unavailability of sewer service.

Residents and property owners in Checkshani Cliffs expressed concern for their water system and current subdivision covenants. Reed explained that the plan is to turn the water system to the Central Iron County Water Conservancy District for operation and maintenance. Restrictive covenants are filed with the plat and are not monitored by the County.

After all public comments were received and discussed, Wayne Smith made a motion to close the hearing. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Gene Roundy made a motion to approve the proposed tier change from Tier 4 to Tier 2 with the explanation that this was the first step, a zone change and the subdivision process will be required before final approval of a subdivision plat. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

DISPATCH AGREEMENT APPROVAL :

Jeff Haycock, a representative from the Cedar Dispatch Center met with the Commission to discuss increases in funding at the Dispatch Center. The State authorized a 5% salary increase to State employees which is reflected in the increase from participating agencies. He also reviewed radio traffic reports. The Commission requested that they be notified of meetings regarding operation of the Dispatch Center.

Wayne Smith made a motion to approve the dispatch agreement and authorize the Commission chair to sign in behalf of Iron County. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PUBLIC HEARING MEADOWS RANCH SUBDIVISION :

Gene Roundy made a motion to convene in a public hearing to receive comments regarding a request to vacate and amend Lot 18 Meadows Ranch Subdivision. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Dennis Stowell read a statement from Chad Nay stating that the Planning Commission has reviewed the requested and have recommended approval. The parcel is located in an A-20

Approved, passed and adopted this 26th day of September, 2005 by the Board of Iron County Commissioners in regular session assembled, in and at their regular place of meeting.

Dennis E. Stowell

Dennis E. Stowell

Chairman, Board of Iron County Commissioners

Attest:

David I. Yardley

David I. Yardley

Iron County Clerk



VOTING:

AYE

NAY

Dennis E. Stowell

X

Gene E. Roundy

X

Wayne A. Smith

X

ZONE CHANGE REQUEST :

Gene Roundy made a motion to open a public hearing to receive comments regarding a proposed zone change from R-1 to R-1/2 within Sec.16 T35S R11W (2300 W 4375 N). Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

A statement written by Chad Nay, Zoning Administrator, was read regarding the proposed zone change. The planning commission approved the proposed change on a three to two vote which is not a majority of the planning commission.

Gary Goodsell, Planning Chairman stated that he was not in attendance at the meeting where this vote was taken but he is in favor of the proposed zone change.

Rich Bontadelli and Matt Hunt, developers explained the plan to develop phase II of Sunrise Meadows which is a one acre subdivision. Concerns by adjacent property owners in Phase I have been addressed to maintain the open space designation.

Joe Melling stated that this development is within 1/4 mile of the new Enoch elementary school and could be serviced by CICWCD for water and Cedar City Sewer. He is in favor of the zone change.

Rod Mills, representing CICWCD stated that smaller lots were appropriate for the area and recommended approval.

After all comments were discussed, Gene Roundy made a motion to approve the proposed zone change from R-1 to R-1/2 as recommended by a majority of the Planning Commission present for the vote. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

and maintenance of tourism, recreation, cultural, and convention facilities, and for no other purpose.

5. **COLLECTION:** Taxes imposed under this ordinance shall be levied and collected at the same time and in the same manner as provided for general sales taxes in Utah Code Annotated, Section 59-12-201, et seq., except that the revenue derived shall not be subject to the distribution provisions of Utah Code Annotated, Section 56-12-205 (2).

6. **LICENSE REQUIRED:** All persons, companies, corporations, or other similar persons or organization required under the terms of this ordinance to collect the taxes imposed herein shall obtain from the State Tax Commission a Tourism, Recreation, Cultural, and Convention Tax License. No additional license is required if said persons, company, group, corporation, or organization has obtained a license pursuant to the provisions of Utah Code Annotated, Section 59-12-106.

7. **PENALTIES:** Any person, company, corporation, or other organization subject to the terms of this act which shall fail to obtain the required license or fail to collect the tax imposed by this ordinance shall be guilty of a class B misdemeanor.

8. **EFFECTIVE DATE:** This ordinance shall become effective upon the 1st day of October, 2005.

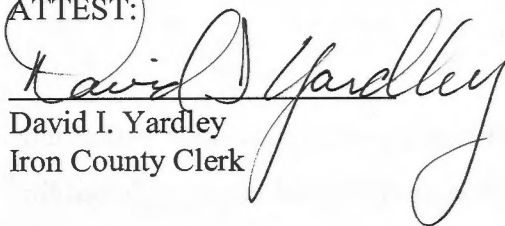
APPROVED, ADOPTED, and PASSED by the Iron County Board of Commissioners this 26th day of September, 2005.

IRON COUNTY BOARD OF COMMISSIONERS:



Dennis E. Stowell, Chair
Iron County Commission

ATTEST:



David I. Yardley
Iron County Clerk



Voting:

Dennis E. Stowell	<u>Aye</u>
Gene E. Roundy	<u>Aye</u>
Wayne A. Smith	<u>Aye</u>

JAIL MATTERS _____ :

Brad Spencer reported that options for renovating the jail to provide more beds for

2. Authorize the filing of an Amended Plat of Allard Ranch Subdivision Resubdividing Lots 8, 9, and 15.

This Ordinance shall take effect upon publication in the manner provided by §17-15-1, Utah Code Annotated 1953, as amended and all provisions shall be severable so that if any section, clause, or term is held unconstitutional or contrary to law the void character shall not effect any of the remaining portion of this ordinance.

Approved, passed and adopted this 26th day of September, 2005 by the Board of Iron County Commissioners in regular session assembled, in and at their regular place of meeting.

Dennis E. Stowell

Dennis E. Stowell
Chairman, Board of Iron County Commissioners

Attest:

David I. Yardley
David I. Yardley
Iron County Clerk



VOTING:	AYE	NAY
Dennis E. Stowell	<u>X</u>	_____
Gene E. Roundy	<u>X</u>	_____
Wayne A. Smith	<u>X</u>	_____

EXECUTIVE SESSION PERSONNEL MATTERS :

Gene Roundy made a motion to convene in executive session to discuss personnel matters. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dennis E. Stowell, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Executive Session convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

Christene presented a proposed contract for ITS Technician for approval. The proposed contract has been reviewed by the County Attorney and recommended for approval. Gene Roundy made a motion to approve the proposed contract as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PRAIRIE DOG MATTERS :

Letters to be sent to people waiting for a prairie dog take permit under the Habitat Conservation Plan were not mailed in time to allow for a response. This matter was tabled until next meeting.

A phone call was made to Lou Brown, SITLA specialist to discuss the SITLA prairie dog bank purchase. Mr. Brown explained that the cost of appraisal for the parcels was inadvertently left out of the purchase price. The cost per dog will increase by \$32.40 per dog to a total price of \$1,836.00. This information will be conveyed to prospective purchasers.

CAPITAL IMPROVEMENT REQUESTS :

County Departments were asked for a list of possible capital improvements to be considered for funding. Projects included: sally ports on the Justice Center and Courthouse for safe transport of prisoners; Jail addition or remodel; Lund Highway project; Flood channel rebuild and acquisition; Senior Citizen Center improvements; Courthouse improvements and plumbing retrofit; Design and Right of Way purchase on 5300 West Road project; and Landfill Shop.

SPEED ENFORCEMENT AGREEMENT UHP :

Dave Excell, came before the Commission to request an extension and amendment to the current Highway Patrol speed enforcement contract. With the increase in fuel and an approved increase in State employee salary, all current contracts are being proposed to be written for \$50.00 per hour. Lt. Excell reviewed statistics for the shifts worked which resulted in substantial tickets being written. He also reviewed accident statistics in comparison to similar areas of Utah. For the past two years, fatalities on I-15 have been reduced in Iron, Washington and Beaver Counties. The UHP attributes this record to the increased patrols.

Wayne Smith made a motion to approve the amendment to the contract to increase the reimbursement amount to \$50.00 per hour effective October 1, 2005. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

CEDAR CITY IRON COUNTY SEWER DISCUSSION :

Brian Dangerfield, Cedar city grant specialist, met with the Commission to discuss possible funding sources for the expansion of the Cedar City sewer project. Status of a STAG grant was discussed with further possible funding from Federal Sources acquired through grants administered through DEQ. Mr. Dangerfield will follow up with Cedar City administrator Jim Allen and City engineer Kit Wareham. It is proposed to fund the first phase from the sewer plant to Lund Highway.

PERSONNEL MATTER HUMAN RESOURCE POSITION :

The Career Service Council met with the Commission to present their recommendation

RESOLVED ADOPTED AND ORDERED this 26th Day of September, 2005.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: Dennis E. Stowell

Dennis E. Stowell, Chairman

ATTEST:

By: David I. Yardley
David I. Yardley
Iron County Clerk



RESOLUTION 2005-7 AMENDMENT TO ACCIDENT REVIEW BOARD POLICY :

A resolution amending the Accident Review Board Policy was presented for approval to clarify the duty and power of the Board. Gene Roundy made a motion to adopt Resolution 2005-7 as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

RESOLUTION 2005-7

**A RESOLUTION OF THE IRON COUNTY COMMISSION CONCERNING THE
IRON COUNTY ACCIDENT REVIEW BOARD POLICIES AND PROCEDURE**

WHEREAS, the Board of Iron County Commissioners, Iron County, Utah on December 23, 1993 established it's Accident Review Board (ARB), and

WHEREAS, the Board of Iron County Commissioners, Iron County, Utah desires to amend it's Accident Review Board policy as follows:

It shall be the policy of Iron County that whenever it is determined by the ARB that a County Employee was at fault in a "preventable accident" is defined as "an accident in which the driver failed to exercise every reasonable precaution to prevent the accident," within a two (2) year period of time, shall, in addition to other corrective action recommended by the ARB, either:

1. Lose County driving privileges for a period of time as recommended by the ARB; or
2. Be assigned to a non-driving County position for a period of time as recommended by the ARB; or
3. Be terminated from County employment.

**IRON COUNTY COMMISSION MEETING
October 10, 2005**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 10, 2005
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Glenn Halterman	Deputy County Attorney
David I. Yardley	County Clerk

SYNOPSIS :

APPROVAL OF BOARD OF EQUALIZATION HEARING OFFICERS' DECISIONS	..... 2
APPROVAL OF GRANT APPLICATION FOR SOUTHERN UTAH UNIVERSITY	..... 3
APPROVAL OF MINUTES - September 26, 2005	..... 1
APPROVAL OF WARRANTS & ADJOURN	..... 7
CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT 2
COMMISSION MEETING DATE CHANGE TO OCTOBER 25, 2005 5
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EXECUTIVE SESSION PENDING LITIGATION 4
FINAL APPROVAL OF VETERAN; BLIND EXEMPTION; TAX ABATEMENT 2
FOREST PAYMENTS	..... 6
JAIL IMPROVEMENTS DISCUSSION	..... 3
MOU CEDAR CITY AND IRON COUNTY RE COAL CREEK FLOODING	..... 3
NOTICE OF REQUEST FOR ANNEXATION INTO CEDAR CITY	..... 6
PAROWAN JUSTICE COURT INTERLOCAL AGREEMENT DISCUSSION	..... 3
PERSONNEL HUMAN RESOURCE POSITION REVIEW	..... 4
PLEDGE OF ALLEGIANCE	..... 1
PRAIRIE DOG TAKE	..... 3
PRESCRIPTIONS CARD DISCUSSION	..... 6
PROCLAMATION OF DAY OF REVERENCE	..... 5
REQUEST FOR ACCEPTANCE OF PAVED ROADS ACCESSING HARMONY MOUNTAIN	..... 2
SKYCASTLE CONTRACT	..... 3
STUDENT VOLUNTEER AWARDS	..... 4
UAC GIFT REQUEST	..... 6

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Joe Gubler

APPROVAL OF MINUTES - September 26, 2005 :

Minutes of the Iron County Commission meeting held September 26, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ELECTED OFFICIALS REPORTS :

Joe Gubler met with the Commission to set dates for budget interviews. The Commission will meet on October 25 starting at 1:30 p.m.; October 31 all day; and November 7 starting at 1:30 p.m.

road between Old Highway 91 and the I-15 freeway. Wayne Smith made a motion to accept the roads from I-15 to Harmony Mountain Ranches and the oiled roads with phase I and phase II of Harmony Mountain Ranches Subdivision for maintenance. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye. Landry

MOU CEDAR CITY AND IRON COUNTY RE COAL CREEK FLOODING :

Steve Platt presented for approval a proposed Memorandum of Understanding regarding maintenance and operation of flooding issues on the Coal Creek drainage from Cedar City limits on the East to Cedar City limits on the West and North. Wayne Smith made a motion to approve the MOU conditioned on Cedar City adopting the MOU. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

JAIL IMPROVEMENTS DISCUSSION :

Jim Childs met with the Commission to discuss preliminary proposals to add beds at the Jail. He suggested three options, 1. To remodel the Gymnasium into a cell block with 32 beds. 2. Remodel the exercise yard into a cellblock with 32 beds. 3. Add an addition to the existing structure with 64 beds. The alternatives will require additional equipment in the laundry and in the kitchen. Mr. Childs estimated that the cost would be approximately \$15,000 per bed to add the additional space.

John Gallas, a neighbor stated that he is opposed to any expansion of the jail.

No action was taken by the Commission at this time.

APPROVAL OF GRANT APPLICATION FOR SOUTHERN UTAH UNIVERSITY :

Southern Utah University has requested the County to support and administer a business incubator grant which will be applied for by SUU. After reviewing the request, Wayne Smith made a motion to approve support of the grant application and Iron County administering the grant. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

SKYCASTLE CONTRACT :

Wes Curtis submitted a contract for approval for services of SkyCastle to help in development of the County Comprehensive Land Use Plan. The contract was reviewed and referred to the County Attorney. Action was tabled until next Commission meeting.

PAROWAN JUSTICE COURT INTERLOCAL AGREEMENT DISCUSSION :

A draft interlocal agreement for the operation of the Parowan Justice Court allowing them to occupy space in the Courthouse in return for accepting payments for the Iron County Justice Court was reviewed. Since the matter has not been before the Parowan City Council, action was tabled until the agreement could be discussed by Parowan.

PRAIRIE DOG TAKE :

Teresa Bonzo met with the Commission to discuss results of a notice sent to companies and individuals waiting for prairie dog take permits within Iron County. Quantum Construction representing Maury Abrams Company would require 18 dogs take to clear 12.6 acres in Cedar City. The Commission noted that they have been waiting for some time to gain a clearance for

wage for comparable positions in the area ranged in the \$48,000 to \$60,000 annually range. After reviewing the proposal, Wayne Smith made a motion to set the salary range as presented. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

John Angell also reported that at this time twenty nine applicants meet the minimum qualifications with five more days left to apply.

COMMISSION MEETING DATE CHANGE TO OCTOBER 25, 2005 :

Gene Roundy made a motion to change the scheduled meeting for October 24 to Tuesday October 25 due to conflicting schedules. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PROCLAMATION OF DAY OF REVERENCE :

Glenn Halterman presented the following proclamation for approval at Commission request whereupon Wayne Smith made a motion to adopt the proclamation. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Proclamation by the Iron County Board of Commissioners:

Day of Remembrance and Reverence

for the Members of the Armed Forces of the United States of America

WHEREAS, the citizens of Iron County and the surrounding communities together live in freedom because of the contributions and sacrifices made by those who serve in the Armed Forces of the United States; and

WHEREAS, many of our friends, neighbors, and loved ones currently find themselves in harm's way as they serve side by side having answered the call to defend the ideals of our great State and Nation; and

WHEREAS, some close to us have recently given the supreme sacrifice in service to their country; and

WHEREAS, our service members' continued devotion to the highest ideals of citizenship constitutes a foundation of both the strength and progress of our Nation, State, and localities; and

WHEREAS, it is a privilege and in the best interest of our local communities that we venerate and express our gratitude to the military personnel whose sacrifices serve as constant reminders of the high price of liberty; and

WHEREAS, our National Day of Thanksgiving affords us an appropriate time to reflect on

furnished at no charge to citizens and will not cost the County to participate. The Commission was given a copy of the proposed agreement for review. The matter is to be placed on the next agenda for action.

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 5:30 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Dennis E. Stowell

Signed: Dennis E. Stowell, Chairman

David I. Yardley
Attest: David I. Yardley
County Clerk



**IRON COUNTY COMMISSION MEETING
October 25, 2005**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 25, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Joseph H. Gubler	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Geri Norwood.

APPROVAL OF MINUTES October 10, 2005 :

Minutes of the Iron County Commission meeting held October 10, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

will require a new job description. Christene Keene was requested to draft a job description and submit to Mike Swallow for a recommendation on grade.

3200 SUBDIVISION ROAD DEVELOPMENT & MAINTENANCE DISCUSSION :

Steve Platt reported to the Commission on the development of Phase 2 of the 3200 Subdivision on Summit Mountain. The Subdivision was plated several years ago but the roads were never developed. Recently the property has been sold and the new owners are establishing the roads.

Steve explained several concerns including: 1. Winter access to the subdivision. The developers are building a road through Division of Wildlife Resources property. DWR is only willing to give a seasonal right of way from April 30 through November 1 as they have designated this as critical deer habitat. The County Commission reiterated their position that the County will not provide winter maintenance to mountain subdivisions 2. The lot line monuments within the subdivision have either never been placed or have been removed. The lot lines need to be surveyed and re established and a possible amendment to the plat needs to be pursued to reflect what is established on the ground. 3. The subdivision has only one access which could be a problem with access for emergency vehicles in case of fire or other natural disaster. Dennis Stowell expressed his recommendation that an additional access route be established from the South end of the project, near Enoch.

BLM COOPERATING AGENCY AGREEMENT APPROVAL AND SIGNING :

The BLM reported that a proposed Cooperating Agency Agreement for planning was submitted to the Washington DC office for review. They have responded that the agreement is approved as to form. The County previously approved the agreement as to form and Gene Roundy made a motion to approve the agreement as written and authorize the Commission Chair to sign. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

SKYCASTLE CONSULTING AGREEMENT :

An agreement with Sky Castle Consulting for work on the Comprehensive Land Use Plan and for development of a Digital Plan was approved on a motion by Gene Roundy with an amendment to add a hold harmless clause and an indemnification clause. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

SPECIAL SERVICE DISTRICT DISCUSSION :

The Commission discussed the establishment of Special Service Districts to provide municipal type services in the unincorporated areas. Services being considered include but are not limited to Fire Protection, Police Protection, and Road Maintenance. The matter was referred to the Planning Commission for study and a recommendation back to the Commission.

BUDGET INTERVIEWS :

The Commission adjourned at 1:30 to listen to budget interviews with Department Supervisors.

the program will be discussed and a recommendation will be forwarded to the Commission for approval.

BOARD APPOINTMENT SOUTHWEST PUBLIC HEALTH :

Gene Roundy made a motion to appoint Russell Anderson to an additional term on the Southwest Utah Public Health Department. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

CEDAR HIGH SCHOOL BAND FUND RAISER :

Cedar High School Band has requested a waiver of landfill fees and a County provided dumpster for a cleanup project at Three Peaks. A citizen will provide funding to the band based on the amount of garbage collected. Wayne Smith made a motion to approve the waiver of fee request and authorize the landfill to provide a dumpster at no charge for the project. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

FLOODED ROAD DISCUSSION AND OPTIONS :

Steve Platt and Dennis Stowell discussed the repair of a road which is still flooded as a result of the large spring runoff into Quichapa Lake. Some funds were received from FEMA to help with repair but may not be sufficient to complete the repair. Option discussed included hauling and raising the road up to four feet for about 1200 feet or the deployment of a temporary pontoon bridge if one is available. The matter was referred to the County Attorney, Road Supervisor and County Engineer for an assessment and recommendation.

RESOLUTION 2005 10 APPOINTING UCIP REPRESENTATIVE :

Gene Roundy made a motion to approve Resolution 2005-10 as follows:

RESOLUTION NO. 2005-10

RESOLUTION OF APPOINTMENT OF A IRON COUNTY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INSURANCE POOL MEMBERSHIP MEETING

WHEREAS, the Board of County Commissioners of Iron County, Utah, is the proper authority to appoint a qualified person to act as the official representative for Iron County at the Utah Counties Insurance Pool Membership Meeting to be held on December 1, 2005; and

WHEREAS, the Board of County Commissioners of Iron County, Utah, has been informed that the By-laws of the Utah Counties Insurance Pool require that the official representative and an alternate representative for Iron county be elected or appointed officers or employees of a member county and be appointed by majority vote of the governing body and designated in writing,

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Iron County, Utah, hereby appoints David Yardley as the official Iron County representative for the Utah Counties Insurance Pool Membership Meeting to be held on December 1, 2005, with Gene Roundy as an alternate representative.

**IRON COUNTY COMMISSION MEETING
November 14, 2005**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November 14, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Joseph H. Gubler	County Auditor
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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by David Yardley

APPROVAL OF MINUTES October 25, 2005 :

Minutes of the Iron County Commission meeting held October 25, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ELECTED OFFICIALS REPORTS :

Dennis Stowell reported on a proposal to add \$10.00 to motor vehicle fees to be used by local entities for the acquisition of road rights of way. The distribution of the funds will be determined by local government leaders.

has requested two dogs from a site in Commerce Commercial Park.

Gene Roundy made a motion to approve the take as requested from Thuet and Watts. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Parowan City asked for approval of 32 dogs from the SITA Bank. The Commission committed the 32 dogs as requested to Parowan City for the expansion of taxi ways at the Parowan Airport.

PUBLIC HEARING _____ :

Wayne Smith made a motion to open a public hearing to receive comments on proposed County subdivision design and construction standards. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Chad Nay presented the draft construction and design standards for Subdivisions. He reported that the Planning Commission has recommended approval with a vote of 5 to 1 in favor.

Steve Platt discussed the proposal to require pavement vs chip seal road surface. It is in the County's best interest to require the higher pavement standard within subdivisions as they develop.

Gene Roundy made a motion to close the hearing and table action to allow for review by the Commission. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PUBLIC HEARING ALPINE MEADOWS RESORT _____ :

Gene Roundy made a motion to open a public hearing to receive comments regarding a proposed tier change reclassification to Tier III within Sections 24, 25, 26, 35, & 36 Township 35South, Range 9 West, request of Brian Head Resort, LTD.; Zone change reclassification to Specially Planned Area (SPA) zone located within Sections 24, 25, 26, 35, & 36 Township 35South, Range 9 West, request of Brian Head Resort, LTD.; and a Development Agreement on a proposed new Community Resort (Alpine Creek) near Brian Head located within Sections 24, 25, 26, 35, & 36 Township 35South, Range 9 West, request of Brian Head Resort, LTD. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Reed Erickson explained the proposed project which will involve the master plan and development of a resort on 1,700 acres adjacent to existing Brian Head Town limits. The proposed resort would include ski areas linked to existing Brian Head Resort properties and also a golf course. The SPA Zone would allow for development without annexing into Brian Head. The development has been planned with a maximum of 1,300 housing units.

Chad Nay reported that the proposed Tier change from Tier II to Tier III, proposed Zone Change and proposed Development Agreement as amended were unanimously recommended for approval by the Planning Commission.

Tom Ellison, Attorney representing Brian Head Resort LTD stated that the request to change the Tier designation from Tier II to Tier III provided the opportunity to develop a new municipality or resort and would not require annexation into Brian Head. The development agreement outlines steps required to begin the process of subdivision approvals including water.

because of jurisdiction.

Joan Mortensen questioned the sewage treatment and the nitrate level that would be permitted.

Scott Hacking responded that in order to meet Class 1 standards, nitrates must be below 10 ppm.

Dennis Ayers asked about the method of salt and sludge disposal noting that sewage contains elevated salt levels and storm water drainage especially in high snow areas creates a large salt load.

Scott Hacking responded that sewer sludge can be disposed of in a landfill or used in composting mulch. Salt waste can be disposed at an appropriate landfill.

John Wilson requested information on the size of the development and the number of anticipated full time residents. He also asked about access in Parowan Canyon with the additional traffic generated by the addition of the resort.

Tom Ellison responded that it is anticipated that the development will be similar in size to the existing Brian Head town with approximately one hundred full time residents. The access has been reviewed by UDOT which has determined that the additional traffic can be handled with the existing highway as developed. No additional construction would be required.

Scott Wilson asked about storm drains with salt loading from snow plow activities. He also asked about maintaining open areas on existing meadows and protecting stream wet lands from degradation.

Tom Ellison responded that the proposed development will comply with development standards and it is proposed to maintain a large portion of the resort as open space represented by the golf course and ski areas.

Dennis Ayers questioned the number of housing units indicating along with the proposed 1300 home sites the housing could include hotels etc. which would increase the number of people the resort could accommodate.

Tom Ellison responded that this is a correct assumption.

Austin LeFevre stated that as a Parowan resident and also a Parowan Valley irrigator that he is opposed to the sewer plan and to the proposed agreement with the Irrigation Company in that the water agreement prohibits protesting the transfer of future water and provides no long term guaranteed water replacement for the surface water being taken.

Tom Ellison responded that the agreement with the irrigation company is not a part of the proposed County development agreement and that matter will be resolved through agreement with the irrigation company. He explained the use of water on the golf course and the amount of water needed for culinary use within the resort.

John Wilson stated that impacts on surrounding communities are a responsibility of the Commission and need to be addressed in any agreement with the developers.

Scott Wilson again requested clarification on why it is impractical to run sewage into the existing system serving Brian Head.

CONTRACT PLANNING GRANT FUNDING :

Gene Roundy made a motion to approve a contract for funding of planning grants. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

BRIDGE ADJACENT TO LADY BUG NURSERY :

Steve Platt discussed the procedure being followed in providing a bridge across the flood channel on 100 North and Westview Drive. Cedar City has annexed half of the width of the future road right of way. The bridge was removed as an obstruction to water flow during the spring flooding. The matter is to be placed on the next agenda for an update and to allow for discussion with Cedar City.

TAX EXEMPTION REQUESTS :

Tax exemption requests for Utah Housing Authority; for Lot 27, Old Mill Subdivision Effective May 25, 2005 Tax ID Number 346541 and Lot 19 Southwest Homestead Sub. Phase 2 effective June 2, 2005 Tax ID Number 423449 . Enoch City requested exemption on Lot 1 Block 3 Spanish Trails Estates, Unit 2 effective June 14, 2005 Tax ID Number 28347. Southwest Applied Technology Center requested exemptions on Lot 9 Willowwood Subdivision Phase 4 effective July 14, 2005 Tax ID Number 363488 and Lot 10 Willowwood Subdivision Phase 4 effective July 20, 2005 Tax ID Number 363496.

Gene Roundy made a motion to approve the tax exemption requests as presented. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ANNEXATION NOTICE :

Enoch City submitted a notice of a proposed annexation of 80.14 acres described as follows: SE1/4NW1/4, NE1/4SW1/4 SEC 13,T35S,R11W, SLM DESC BY SURVEY AS FOLLOW: BEG AT NE COR NE1/4SW1/4 (CTR SEC COR) SEC 13,T35S,R11W, SLB&M; S00°06'31"E ALG E LN OF SD NE1/4 1321.84 FT TO PT ON E-W FENCE EXTENSION; S89°18'36"W ALG SD FENCE LN 735.63 FT; S89°11'25"W ALG SD FENCE LN 614.18 FT TO PT ON W LN OF SE1/4SW1/4 OF SD SEC 13; N00°00'30"W ALG W LN SD SE1/4 11.32 FT SD PT BE SW COR OF NE1/4SW1/4; N00°00'30"W ALG W LN OF SD NE1/4 356.65 FT TO PT ON E LN OF GARDEN PARK ESTATES SUBD; DEPART SD W LN OF SD NE1/4, N01°29'08"E ALG SD E LN OF GARDEN PARK ESTATES SUBD BNDRY 256.09 FT; N00°00'39"E ALG SD E LN 1186.51 FT TO NE COR OF LOT 19, SD PT BE NE COR OF SD SUBD; N87°57'51"W ALG N LN OF SD LOT 19, 7.15 FT TO PT ON W LN OF SE1/4NW1/4 & E BNDRY LN LOT 8, OWEN-EVANS SUBD; N00°00'32"W ALG SD W LN OF SE1/4 852.96 FT TO NW COR OF SD SE1/4; N89°54'50"E ALG N LN OF SD SE1/4 1345.03 FT TO NE COR OF SD SE1/4; S00°06'47"E ALG E LN OF SD SE1/4 1326.35 FT TO POB. Current Owner is Bentley Farms.

Gene Roundy made a motion not to oppose the proposed annexation. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

APPLICATION APPROVAL PUBLIC LAND PLANNING GRANT :

Gene Roundy made a motion to approve applying for a public land planning grant

**IRON COUNTY COMMISSION MEETING
November 28, 2005**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November 28, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Joseph H. Gubler	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Mark O. Gower	County Sheriff

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Motion in favor of changing General Plan Land Use and Tier designation	5
Motion in Favor of Rezoning Alpine Creek Property to the Specially Planned Area	5
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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Dennis Ayers.

APPROVAL OF MINUTES November 14, 2005 :

Minutes of the Iron County Commission meeting held November 14, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

**IRON COUNTY, UTAH
RESOLUTION No. 2005-11**

**A RESOLUTION ADOPTING DESIGN AND CONSTRUCTION REQUIREMENTS
FOR THE SUBDIVISION OF LAND; PROVIDING AN EFFECTIVE DATE**

WHEREAS, Iron County has adopted a Subdivision Ordinance, which has been amended from time to time; and

WHEREAS, such Subdivision Ordinance has contained in the past design and construction requirements for the laying out of a subdivision and the standards for all improvements required in the subdivision; and

WHEREAS, for ease of administration and to ensure future design and construction standards for subdivision are responsive to the needs of the County it has been determined it represents good public policy that such standards not be included within the Revised Subdivision Ordinance and

WHEREAS, design and construction standards are required for the efficient subdivision of land and the provision of all required infrastructure and service.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH AS FOLLOWS:

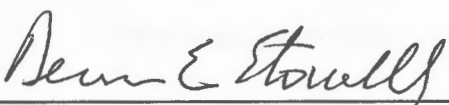
Section 1: The document attached hereto, and identified as the Iron County Subdivision Construction and Design Standards now be adopted.

Section 2: It is understood that the Iron County Subdivision Construction and Design Standards, attached hereto, and as adopted hereby, may be revised and amended from time to time, as determined necessary, and that a review of these standards now be commenced by the County to ensure their applicability and responsiveness to the needs of the County, recognizing the revisions that have occurred to the Iron County Zoning Ordinance and Iron County Subdivision Ordinance.

Section 3: This Resolution shall become effective on the 1st day of December, 2005.

Section 4: This Resolution shall be published and notice provided as required upon its passage by a majority vote of the Iron County Board of County Commissioners.

**PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY,
UTAH, THIS 28th DAY OF NOVEMBER, 2005.**



Chair, Board of County Commissioners

fence out livestock. Livestock owners are not liable for damage from stray animals or from trespass onto unfenced areas.

The development of Special Service Districts to provide fire, police, road maintenance, water and sewer were also discussed. The County will have the responsibility of establishing special service districts to fund these services within one year of the approval of a subdivision plat.

Tom Ellison explained state drinking water standards that must be met for water service to housing units. He also explained that exhibit "H" includes 38 additional standards that must be met by the developer.

Glenn Halterman explained reimbursable capital improvement language. The improvements will be reimbursed to developers through impact fees.

The Commission found that in

Motion in favor of changing General Plan Land Use and Tier designation of Alpine Creek to Tier III.

Gene Roundy made the following motion : The County Commission, upon favorable recommendation fo the Planning Commission, hereby finds that the Alpine Creek Resort as described in and as proposed to be regulated by the Development Agreement for Alpine Creek (November 28, 2005 draft and including all exhibits thereto) meet all of the requirements of Ordinance 205 for the reclassification of the Alpine Creek property from Tier II and Tier IV to Tier III and, subject to the approval of recommendations for the rezoning of the Alpine Creek property to Specially Planned Area (SPA) zoning for the approval of the Development Agreement for Alpine Creek (which recommendations are covered by separate motions), the County Commission, upon favorable recommendation of the Planning Commission, hereby approves and amendment to the Iron County General Plan Land Use Map to reclassify the Alpine Creek property to Tier III for the purposes of allowing the development of the new Alpine Creek Resort as permitted by the General Plan on the terms and conditions incorporated into the proposed Development Agreement for Alpine Creek. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Motion in Favor of Rezoning Alpine Creek Property to the Specially Planned Area (SPA) District.

Gene Roundy made the following motion : The County Commission, upon favorable recommendation fo the Planning Commission, hereby finds that the Alpine Creek Resort as described in and as proposed to be regulated by the Development Agreement for Alpine Creek (November 28, 2005 draft and including all exhibits thereto) meet all of the requirements of the Iron County Zoning Ordinance for the rezoning of the Alpine Creek property to the Specially Planned Area (SPA) District and, subject to the approval of recommendations for the reclassification of the Alpine Creek property to Tier III and for the approval of the Development Agreement for Alpine Creek (which recommendations are covered by separate motions), the County Commission, upon favorable recommendation of the Planning Commission, hereby approves and amendment to the Iron County Zoning Map to reclassify the Alpine Creek property

bridge near Lady Bug nursery on 100 South, Cedar City. Under an agreement with Cedar City, Iron County will fund up to ½ of the replacement cost of the structure.

PERSONNEL MATTERS :

Christene Keene presented for approval the following new employees:

Austin M. Nelsen	Part Time	Ambulance
E. Ray Taylor	Part Time	Council On Aging
Joel V. Lozano	Full Time	Roads
J. Camron Neil	Full Time	Jail

Wayne Smith made a motion to approve the new employees. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

SITLA RIGHT OF WAY REQUEST :

An application for Easements on SITLA Property which has been selected and designated for sale located within SEC 15, T35S, R11W, SLB&M. This property is commonly known as the Game Farm in Cedar Valley. The County needs to identify flood channels and existing roads and designate them for purchase by the County. Steve Platt is to follow up on designating the Right of Way Requirements for the County.

2004 INDEPENDENT AUDIT REPORT :

Scott Wilson representing Wilson & Company presented the Commission the 2004 Audit Report. He explained the financial situation of the County and reviewed the management discussion and analysis for fiscal year ending December 31, 2004. He also reviewed the management letter noting areas that need to be addressed.

After reviewing the report and recommendations, Wayne Smith made a motion to accept and adopt the 2004 Audit Report. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

HOLIDAY SCHEDULE DISCUSSION :

The Commission discussed several options for observing the Post Thanksgiving Holiday. The Commission adopted the following policy.

“The County will recognize and observe the Post-Thanksgiving Holiday, allowing regular County Offices to be closed on the day after Thanksgiving. To eliminate the strain on Department scheduling, those employees on rotating or irregular shifts will accrue this holiday during the 10/15 payroll to allow ample time for employees to use holiday ours by year end.”

A motion to approve the foregoing policy was made by Gene Roundy. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PETITION FOR ANNEXATION LITTLE EDEN SUBDIVISION LOT 13 BLK B :

Notice of a petition for annexation to Enoch City of Lot 13 Block B, Little Eden Subdivision was reviewed. Wayne Smith made a motion not to oppose the annexation. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

MIDDLE RIDGE ROAD (BRAFFITS CREEK) DISCUSSION :

Art Tait and land owners Dan McKittrick and Kary Smith met with the Commission to discuss access to the 3200 Subdivision. The road leading to the area along Middle Ridge is

IRON COUNTY COMMISSION MEETING
December 12, 2005

Minutes of the Iron County Commission meeting convened at 9:00 a.m. December 12, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Gene E. Roundy	Commissioner
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Scott Garrett.

APPROVAL OF MINUTES November 28, 2005 :

Minutes of the Iron County Commission meeting held November 28, 2005 were approved as amended on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

ELECTED OFFICIALS REPORTS :

Wayne Smith reported that a group of investors were meeting on December 14 at 1:30 p.m. to discuss development of an airport in the Lund area. The public is invited to attend.

Wayne also discussed wages in the law enforcement area. Deputies are complaining that they are so under paid that they are seeking employment with other agencies. The Sheriff has indicated that this may affect his recruiting and retention of qualified personnel both in the Jail and on patrol.

W1/2 of the NW 1/4 Sec 1 T35S R11W SLB&M, Containing 91.35 Ac. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Chad Nay presented the proposed zone change as recommended by the Planning Commission. The property is adjacent to Enoch City and will require a development agreement with Enoch City to develop to City standards. No one spoke in opposition to the proposed zone change.

Wayne Smith made a motion to close the public hearing and to approve the zone change as requested. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PUBLIC HEARING PRELIMINARY PLAT APPROVAL WESTVIEW ESTATES

PHASE 4:

Gene Roundy made a motion to open a public hearing to receive comments on an Iron County Planning Commission recommendation to approve of the preliminary plat of Westview Estates Subdivision, Phase 4. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Chad Nay reported that the preliminary plat is adjacent to phase 1 through 3 and is being developed to the same specifications. Water will be provided by Central Iron County Water Conservancy District. Sewer will be provided through the existing lift station system servicing the other phases.

Reed Erickson commented on the cooperation with CICWCD to provide water service in the area. This will enhance development in the area and will provide the needed expertise and infrastructure to operate the water system.

After all public comments were received, Gene Roundy made a motion to close the public hearing and approve the preliminary plat of Westview Estates Subdivision Phase 4 as presented and recommended by the Planning Commission. Second by Wayne Smith. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

PUBLIC HEARING PRELIMINARY PLAT APPROVAL SUNRISE MEADOWS

SUBDIVISION, PHASE 2:

Wayne Smith made a motion to open a public hearing to receive comments on an Iron County Planning Commission recommendation to approve of the preliminary plat of Sunrise Meadows Subdivision, Phase 2. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

Chad Nay reported that the Preliminary Plat provides a right of way for Coal Creek Irrigation Company to continue use and maintenance of irrigation canals through the area. It has also received a recommendation from the Planning Commission for approval.

Wayne Smith made a motion to close the public hearing and approve the preliminary plat of Sunrise Meadows Subdivision Phase 2 with recommendations from the Planning Commission to be included in the final plat. Second by Gene Roundy. Voting: Dennis Stowell, Aye; Gene Roundy, Aye; Wayne Smith, Aye.

**IRON COUNTY COMMISSION MEETING
December 19, 2005**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. December 19, 2005 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dennis E. Stowell	Commission Chairman
Wayne A. Smith	Commissioner
Scott F. Garrett	County Attorney
David I. Yardley	County Clerk

Also Present:

Joseph H. Gubler	County Auditor
Dennis W. Ayers	County Assessor
Patsy T. Cutler	County Recorder
Geraldine S. Norwood	County Treasurer
Mark O. Gower	County Sheriff

Absent:

Gene E. Roundy	Commissioner
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SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Erik Jorgensen.

ELECTED OFFICIALS REPORTS :

Dennis Stowell reported on the preliminary budget to the elected officials. The budget includes a salary for Chief Deputy of \$42,000. All County employees are to receive a COLA

The budget includes \$386,000 for computer software upgrades to complete the transition to the Eagle and Incode systems.

The budget contains funding of 3.6% COLA salary increase for all County employees. County employees will also receive step increases at their review date.

A salary survey will be completed by the new Personnel Director as the first priority of her position.

Chief Deputy salaries were adjusted to \$42,000 to reflect the change from merit employees to "at will" employees.

Insurance will change from a County self funded program to coverage by IHC. The premium will continue to be paid by the County with employees paying a 20/80 split for services.

Sheriff mark Gower commented that a salary survey is extremely important. It costs the County an average of \$12,000 to train an officer. Officers are leaving to employment in other Counties or Cities.

Dennis Stowell responded that in reviewing a salary survey conducted by Sheriff Gower, in comparing salary and benefits, Iron County is in line with other comparable agencies in the State.

Wayne Peterson, Sheriff Deputy, stated that morale in the Sheriff's Department is low and the Deputies need immediate action to increase their salary by a minimum of \$2.00 per hour above the COLA to retain deputies.

Wayne Smith responded that as previously stated, a salary survey will be conducted. He also explained that to be fair with all County employees, all needed to be treated equally and fairly. It is not County policy to play one department against another.

An unnamed Deputy stated that "all law enforcement departments in the State are receiving pay increases and it is the County responsibility to take immediate action."

Elizabeth Carlile requested that the Commission give law enforcement a "token" wage increase until the salary survey is complete. She stated a safety concern as a citizen if Deputies are not available.

Deputy Quinn Averett stated that Deputies are not willing to rely on Commission promises that a salary survey will be conducted. He demanded that an increase be included in the budget effective January 1.

Dennis Stowell requested comments from other Departments and elected officials. Officials responded that in fairness to all employees the salary survey should be conducted as quickly as possible. They all felt that employees should be treated equally and not a single department singled out for a salary increase.

Scott Garrett commented that an exception can be made to preserve health, safety and welfare if the Commission determine there is a safety issue.

After comments were received, Wayne Smith made a motion to close the public hearing and to adopt Resolution 2005-12 approving the budget as presented with the instruction to the Personnel Director to complete a salary survey as a top priority with a focus on law enforcement first. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.

The public was asked for comments. None were received.

Wayne Smith made a motion to close the public hearing and to adopt Resolution 2005-13. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.

RESOLUTION 2005-13 AMENDING THE 2005 COUNTY BUDGET :

RESOLUTION 2005-13

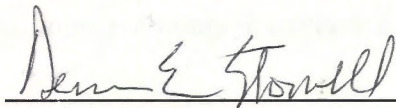
A RESOLUTION OF THE IRON COUNTY COMMISSION AUTHORIZING ADJUSTMENTS IN THE 2005 DEPARTMENT BUDGETS.

WHEREAS, Iron County Departments have requested adjustments to their budgets for 2005 to cover expenses incurred for over time, increases in under budgeted areas, purchases of unbudgeted but approved equipment, and

WHEREAS, adjustments must be made to authorize unexpected or approved expenditures above those appropriated in the original budget, now therefore:

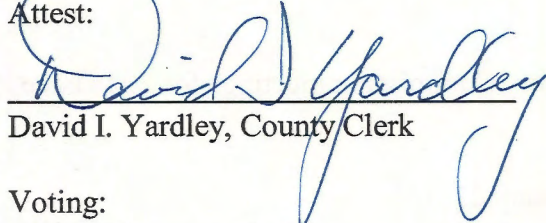
BE IT RESOLVED that the 2005 budget of Iron County is hereby amended to reflect changes in the adopted and approved 2005 budget to actual expenditures as calculated and filed in the office of the Iron County Auditor.

BY ORDER OF the Board of Iron County Commissioners this 19th day of December, 2005.

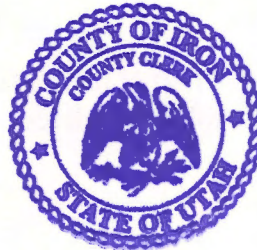


Signed: Dennis E. Stowell, Chair

Attest:



David I. Yardley, County Clerk



Voting:

Wayne A. Smith	Aye
Dennis E. Stowell	Aye
Gene E. Roundy	Absent

PERSONNEL MATTERS :

Christene Keene presented for approval Colleen Robison as a part time Sheriff's secretary. Wayne Smith made a motion to approve the hiring of Colleen Robison. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.

PROPOSED ORDINANCE AUTHORIZING SEWER LINE EXTENSION

REIMBURSEMENT AGREEMENTS :

Reed Erickson and Glenn Halterman presented to the Commission for their consideration a proposed ordinance to authorize sewer line extension agreements. The proposed ordinance allows developers to recoup part of the costs of installing oversized sewer collection lines to serve future development. The proposed ordinance was taken under consideration and will be acted upon at the Commission meeting scheduled for January 9, 2006.

Wayne Smith made a motion to approve the tentative schedule as presented and authorize publication and posting. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.

GRANT CONTRACT APPROVAL :

A Small Business Incubator grant to be administered by Iron County was presented and approved on a motion by Wayne Smith. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.

BOARD APPOINTMENT BOOKMOBILE :

Wayne Smith made a motion to appoint Lydia Austin to the Bookmobile Board for a four year term. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.

BOARD APPOINTMENTS PUBLIC HEALTH :

Dr. Russell Anderson was appointed to the Southwest Utah Public Health Board as the Iron County representative on a motion by Wayne Smith. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.

BOOKMOBILE SERVICE CONTRACT APPROVAL :

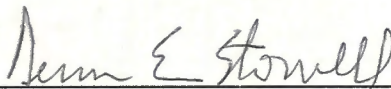
A proposed agreement for Bookmobile services for 2006 was approved for signature on a motion by Wayne Smith. Second by Dennis Stowell. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.

STATE & INSTITUTIONAL TRUST LANDS PROPERTY SALE NOTICE :

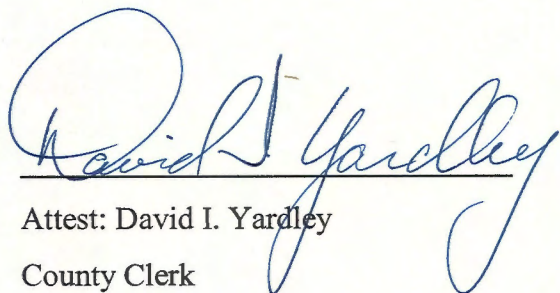
The Commission noted a notice of proposed sale of SITLA property in Cedar Valley commonly know as the Game Farm property. The proposal was referred to the County Engineer to determine if existing roads or flood channel rights of way exist on the property.

APPROVAL OF WARRANTS & ADJOURN :

After the bills were reviewed and approved or rejected, the meeting was adjourned at 12:30 p.m. on a motion by Gene Roundy. Second was by Wayne Smith. Voting: Dennis Stowell, Aye; Wayne Smith, Aye.



Signed: Dennis E. Stowell, Chairman


Attest: David I. Yardley
County Clerk

