

IRON COUNTY COMMISSION MEETING
January 10, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 10, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Dale Brinkerhoff.

APPROVAL OF MINUTES December 20, 2010 :

Minutes of the Iron County Commission meeting held December 20, 2010 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

APPROVAL OF MINUTES January 3, 2011 :

Minutes of the Iron County Commission meeting held January 3, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Reed Erickson presented a proposed quarterly report schedule for Departments. Geri

Norwood requested that group 1 be amended to include Assessor, Recorder, and Treasurer since the three departments are involved in the tax cycle.

Alma Adams reported that a letter has been received from the State Court Administrator stating that the Iron County Justice Court has been recertified for four years.

RS-2477 LETTER TO REPRESENTATIVE ROB BISHOP :

A letter to Representative Rob Bishop was introduced in opposition to recent Department of Interior efforts to de facto designate additional lands as wilderness and roadless areas.

The Commission urged Representative Bishop who is are about to assume the House Natural Resource Subcommittee Chairmanship which Representative Hansen once held, to follow Jim Hansen’s example and add a similar moratorium in order to protect and preserve the six Utah 2008 Utah BLM Resource Management Plans from post-hoc changes by the Obama/Salazar/Abbey Administration, and blunt the current efforts to implement Interior Secretary Salazar’s December 23, 2010 Wilderness Order 3310 – an illegal dictate that threatens to convert at least 6 to 7 million more acres of BLM land (above and beyond Wilderness Study Areas) into de-facto, administrative wilderness without Congressional authority, all in violation of FLPMA, the 2008 Utah RMPs, and the 2003 Utah-Norton Settlement Agreement.

Dale Brinkerhoff made a motion to approve the letter and authorize signatures. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REORGANIZATION OF COMMISSION AND COMMISSION ASSIGNMENTS:

Dale Brinkerhoff made a motion to appoint Alma Adams as Commission Chair for 2011. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The Commission then reviewed a proposed list of Commission assignments. Several minor changes were noted whereupon Dale Brinkerhoff made a motion to adopt the Commission assignments as amended. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Following is a breakdown of Commission assignments as approved:

Commissioner Alma Adams, Chair (477-3574, 559-3574 alma@ironcounty.net)

- | | |
|---------------------------------|--------------------------|
| Roads | Neil Forsyth |
| USU Extension Service | Chad Reid/Kathy Riggs |
| Weeds | Chad Reid/Kacy Adams |
| Natural Resources | Mike Worthen/Wes Curtis |
| BLM | |
| Forest Service | |
| National Parks Service (NPS) | |
| SUPAC | Wes Curtis |
| Prairie Dogs | |
| Liaison Recorder | Debbie Johnson |
| Liaison Clerk | David I. Yardley |
| Parowan Airport | Shayne Scott |
| Parowan Gap Heritage Comm | Nancy Dalton |
| Hwy 143/National Scenic Byway | Nancy Dalton |
| Floods & Water (Parowan Valley) | Steve Platt/Ken Sizemore |

UAC Committees	Brent Gardner
Lands & Resources	
Transportation	
Taxation & Revenue	
RS-2477	Mark Ward

Commissioner Dale Brinkerhoff (586-6830, 559-1852, dbrinkerhoff@ironcounty.net)

Parks and Rec/Emergency Mgt	Charlie Morris
Central Iron County Water Conservancy District	Scott Wilson
Liaison Assessor	Cindy Bulloch
Liaison Treasurer	Geri Norwood
Mental Health	Mike Beal
Health and Human Services Council	Carrie Dennis
Public Health	Dr. David Blodgett
Five County AOG	Ken Sizemore
Three Peaks Committee (to be formed)	
Floods & Water (Escalante Valley)	Steve Platt/Ken Sizemore
Library/Bookmobile	Steve Decker/Kristen Robinson/Jeff Lewis
Cedar City Airport	Russ Volk
Volunteer Center	Tracy Garrett
Regional Waste Water System	

UAC Committees:	Brent Gardner
Human Services	
Intergovernmental Relations	

Commissioner Dan Webster (586-6622, 559-1717, dwebster@ironcounty.net)

Jail	Mark Gower/Bret Allred
Sheriff Liaison	Mark Gower
Children's Justice Center	Stephanie Furnival
County Fair	Joyce Evans
Council on Aging	Connie Lloyd
Economic Development	Brennan Wood
Conventions / Tourism	Maria Twitchell
Diamond Z Arena	Larry Olds
Utah Summer Games	Casey McClellan
Workforce Services	
Frontier Homestead State Park	Todd Prince
Floods & Water (Cedar Valley)	Steve Platt/Ken Sizemore
Justice Court	Margaret Miller
Cedar Chamber of Commerce	Scott Jolley
Shooting Range	Gene Roundy
Liaison Attorney	Scott Garrett
Liaison Auditor	Eugene Adams

UAC Committees:	Brent Gardner
Law Enforcement/Corrections	
Indigent Defense Board	

County Administrator, Reed Erickson (865-8381, reed@ironcounty.net)

Building & Zoning	Chad Nay
Planner	Todd Stowell
Engineer	Steve Platt
Solid Waste / Landfill	Jaren Scott
Ambulance	Ron Johnson
Fire Departments	Ryan Riddle
Information Technology (IT)	Jared Wilson
Television	Dennis Johnson
Human Resource	Colette Eppley
County Buildings	

OPEN AND PUBLIC MEETING ACT TRAINING (UT CODE, TITLE 52, CHAPTER 4):

Michael Edwards made a power point presentation and reviewed provisions of Title 52-4 et.seq. as required annually. He reviewed what constitutes an open meeting, chance meetings, agenda scheduling, etc.

Michael also discussed elected official duties and responsibilities. He emphasized Utah Code 17-36-22 which discusses line item transfers within a Department budget. The Code allows transfers as long as the total budget is not exceeded.

BOARD OF EQUALIZATION :

Dale Brinkerhoff made a motion to convene as a Board of Equalization to hear tax matters. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Christene Lowder presented requests for Veterans exemptions adjustments due to changes in service related disability percentage changes. Total adjustment requested is \$3,076.38. Christene explained the criteria to qualify for Veterans exemptions and reported that the four applicants qualified under current guidelines.

Dale Brinkerhoff made a motion to approve the four Veterans exemption requests for a total of \$3,076.38. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Christene also presented a request for exemption for a building identified as Tax Serial Number B-1135-0050-0001 Account Number 381485, located at 1160 South 860 West , Cedar City, to be used as a church by Mountain View Baptist Church effective December 28, 2010. Dan Webster made a motion to approve the exemption as requested. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION 2011-1 BOND PARAMETERS RESOLUTION :

Dustin Matsumori, George K. Baum Associates introduced a parameters resolution to approve a public hearing to receive comments regarding proposed bonding to finance a commitment to the Southern Utah Fine Arts Center to be located on the campus of Southern Utah University and to replace County funds committed to the construction of the Cedar City Aquatic Center was presented for approval. The public hearing will be advertised in the

Spectrum/Daily News and will be posted on the State Public Notice Website. The hearing will be scheduled for February 14, 2011.

Dale Brinkerhoff made a motion to adopt Resolution 2011-1 and authorize publication of the Notice of Public Hearing. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION NO. 2011-1

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$2,000,000 AGGREGATE PRINCIPAL AMOUNT OF LIMITED OBLIGATION SALES TAX REVENUE BONDS (RESTAURANT SALES TAX PLEDGE) SERIES 2011 OF IRON COUNTY, UTAH, FOR THE PURPOSE OF (A) REIMBURSING THE COUNTY FOR FUNDS PROVIDED TO CEDAR CITY FOR AN AQUATIC CENTER AND RELATED IMPROVEMENTS; AND (B) PROVIDING FUNDS TO THE SOUTHERN UTAH MUSEUM AUTHORITY TO ACQUIRE, CONSTRUCT AND FURNISH A NEW MUSEUM; CALLING A PUBLIC HEARING AND ESTABLISHING A TIME, PLACE AND LOCATION FOR SAID PUBLIC HEARING; PROVIDING FOR PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR A PLEDGE OF RESTAURANT SALES TAX REVENUES FOR REPAYMENT OF THE BONDS; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

WHEREAS, Iron County, Utah (the "Issuer"), desires to (a) reimburse the Issuer for funds provided to Cedar City for an aquatic center and related improvements; and (b) provide funds to the Southern Utah Museum Authority to acquire, construct, and furnish a new museum and related improvements (collectively, the "Project"); and

WHEREAS, pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the "Act"), the County Commission (the "Commission") of the Issuer has authority to issue its Limited Obligation Sales Tax Revenue Bonds, Series 2011 (Restaurant Sales Tax Pledge) (the "Series 2011 Bonds") for the purposes set forth in the first recital above; and

WHEREAS, the Act provides that prior to issuing bonds pursuant to the Act, an issuing entity must (a) give notice of its intent to issue such bonds and (b) hold a public hearing to receive input from the public with respect to the issuance of the bonds; and

WHEREAS, the Issuer desires to hold a public hearing for this purpose and to publish a notice of such hearing, including a notice of bonds to be issued, in compliance with the Act with respect to the Series 2011 Bonds;

NOW, THEREFORE, it is hereby resolved by the County Commission of Iron County, Utah, as follows:

- A. The Commission of the Issuer hereby finds and determines that it is in the best interests of the Issuer and its residents for the Issuer to issue not more than Two Million Dollars

(\$2,000,000), aggregate principal amount of its Limited Obligation Sales Tax Revenue Bonds, (Restaurant Sales Tax Pledge) Series 2011, to bear interest at a net effective rate of not to exceed six and one-half percent (6.5%) per annum, to mature in not more than twenty-two (22) years from their date or dates of issuance, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, for the purpose of (a) financing the costs of the Project, (b) funding a debt service reserve fund, if necessary and (c) paying costs of issuance of the Series 2011 Bonds, all pursuant to this Resolution, a Master Resolution dated as of February 24, 2003, and a First Supplemental Resolution dated as of February 1, 2011, to be entered into at the time of issuance of the Series 2011 Bonds in substantially the forms attached hereto as Exhibit B (collectively, the "Final Resolution"), and the Issuer hereby declares its intention to issue the Series 2011 Bonds according to the provisions of this Resolution and the Final Bond Resolution, when adopted.

- B. The Issuer proposes to pledge all of the excise tax funds received by the Issuer pursuant to Title 59, Chapter 12, Part 6, Utah Code Annotated 1953, as amended, for repayment of the Series 2011 Bonds.
- C. The Issuer hereby authorizes and approves the issuance of the Series 2011 Bonds pursuant to the provisions of this Resolution and the Final Resolution, with such changes thereto as shall be approved by the Commission upon the adoption of the Final Resolution, provided that the principal amount, interest rate or rates, maturity, and discount shall not exceed the maximums set forth in Section 1 hereof.
- D. The Issuer will hold a public hearing on February 14, 2011, to receive input from the public with respect to (a) the issuance of the Series 2011 Bonds, and (b) the potential economic impact that the Project will have on the private sector, which hearing date shall not be less than fourteen (14) days after notice of the public hearing is first published (i) once a week for two consecutive weeks in the Spectrum, a newspaper of general circulation in the Issuer and (ii) on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended, no less than fourteen (14) days before the public hearing date. The County Clerk shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the County Clerk's office in Parowan, Utah, for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of publication thereof. The Issuer directs its officers and staff to publish a "Notice of Public Hearing and Bonds to be Issued" in substantially the following form:

NOTICE OF PUBLIC HEARING
AND BONDS TO BE ISSUED

PUBLIC NOTICE IS HEREBY GIVEN that on January 10, 2011, the County Commission (the "Commission") of Iron County, Utah (the "Issuer"), adopted a resolution (the "Resolution") declaring its intention to issue Limited Obligation Sales Tax Revenue Bonds, Series 2011 (Restaurant Sales Tax Pledge) (the "Series 2011 Bonds") pursuant to the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, and to hold a public hearing to receive input from the public with respect to the issuance of the Series 2011 Bonds.

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer will hold a public hearing on February 14, 2011, at the hour of 11:00 a.m. in the Iron County Courthouse, County Commission Chambers, 68 South 100 East, Parowan, Utah. The purpose of the hearing is to receive input from the public with respect to (a) the issuance of the Series 2011 Bonds and (b) any potential economic impact that the improvements financed with the proceeds of the Series 2011 Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING BONDS

The Issuer intends to issue the Series 2011 Bonds for the purpose of (a) reimbursing the Issuer for funds provided to Cedar City for an aquatic center and related improvements; (b) providing funds to the Southern Utah Museum Authority to acquire, construct and furnish a new museum and related improvements (collectively, the "Project") and related improvements, (c) funding a debt service reserve fund, if necessary, and (d) paying issuance expenses to be incurred in connection with the issuance and sale of the Series 2011 Bonds.

PARAMETERS OF THE BONDS

The Issuer intends to issue the Series 2011 Bonds in the principal amount of not to exceed Two Million Dollars (\$2,000,000), to bear interest at a net effective rate of not to exceed six and one-half percent (6.5%) per annum, to mature in not more than twenty-two (22) years from their date or dates of issuance, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, plus accrued interest to the date of delivery.

TAXES PROPOSED TO BE PLEDGED

The Issuer proposes to pledge all of its excise tax funds received by the Issuer pursuant to Title 59, Chapter 12, Part 6, Utah Code Annotated 1953, as amended, for repayment of the Series 2011 Bonds.

The Series 2011 Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution, a Master Resolution dated as of February 24, 2003, and a First Supplemental Resolution dated as of February 1, 2011, to be entered into at the time of issuance of the Series 2011 Bonds in substantially the forms attached hereto as Exhibit B (collectively, the "Final Resolution") which were before the Commission and attached to the Resolution in substantially final form at the time of the adoption of the Resolution, and said Final Resolution is to be adopted and executed by the Commission, in such form and with such changes thereto as shall be approved by the Commission upon the adoption thereof; provided that the principal amount, interest rate or rates, maturity, and discount of the Series 2011 Bonds will not exceed the maximums set forth above.

A copy of the Resolution and the Final Resolution are on file in the office of the County Clerk of Iron County, Utah, in Parowan, Utah, where they may be examined during regular business hours of the County Clerk from 8:00 a.m. to 5:00 p.m. Monday through Friday, for a period of at least thirty (30) days from and after the last date of publication of this notice.

NOTICE IS HEREBY GIVEN that a period of thirty (30) days from and after the last date of the publication of this notice is provided by law during which (a) any person in interest shall have the right to contest the legality of the Resolution, the Final Resolution or any provision made for the security and payment of the Series 2011 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 (b) registered voters within Iron County, Utah, may sign a written petition requesting an election to authorize the issuance of the Series 2011 Bonds. If written petitions which have been signed by at least twenty percent (20%) of the registered voters of Iron County, Utah, are filed with the Issuer during said 30-day period, the Issuer shall be required to hold an election to obtain voter authorization prior to the issuance of the Series 2011 Bonds. If fewer than twenty percent (20%) of the registered voters of Iron County, Utah, file a written petition during said 30-day period, the Issuer may proceed to issue the Series 2011 Bonds without an election.

/s/David I. Yardley
County Clerk

Published in the Spectrum on January 13 and 20, 2011

- E. The Commission hereby declares its intention and reasonable expectation to use proceeds of tax-exempt bonds to reimburse itself for initial expenditures for costs of the museum portion of the Project up to \$1,000,000. The Series 2011 Bonds are to be issued, and the reimbursements made, by the later of 18-months after the payment of the costs or after the museum portion of the Project is placed in service, but in any event, no later than three years after the date the original expenditure was paid
- F. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this January 10, 2011.

(SEAL)



By: [Signature]
Chair

ATTEST:

By: [Signature]
County Clerk

FINANCIAL ADVISOR AGREEMENT APPROVAL :

Dustin Matsumori presented a financial advisor agreement between Iron County and George K. Baum Associates was presented for approval. Dale Brinkerhoff made a motion to approve the agreement and to authorize Commission Chair signature. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

LANDFILL INTERLOCAL AGREEMENT UPDATE DISCUSSION :

The cooperative agreement regarding the County landfill was reviewed. David Yardley noted that the current agreement expired in 2004. After reviewing the agreement, the Commission authorized the County Attorney to draft a new interlocal agreement for a five year term as specified in the original agreement with current per residence fee structure on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

MEMORANDUM OF COOPERATION SUPAC :

A Memorandum of Cooperation to participate in the Southwest Utah Planning Authorities Council (SUPAC) for 2011 was presented for approval. Cost to participate is \$60.00 per year. Dan Webster made a motion to approve the Memorandum of Cooperation for 2011 and to authorize payment of the \$60.00 dues. Second by Dale Brinkerhoff. Voting: Alma Adams,

Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PERSONNEL MATTERS :

Colette Eppley presented for approval a request to approve Natalie VanVleet as a volunteer at the Children's Justice Center. Dan Webster made a motion to approve the request as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

CONDITIONAL USE PERMIT FOR A GUEST HOUSE :

Chad Nay reported to the Commission that Robert A. Padilla, has requested a conditional use permit for a guest house at 602 West 4300 North, Cedar City on property identified as Tax ID Number D-0577-0004-0000-0000, account number 296043, legal description W1/2NE1/4NE1/4SE1/4 SEC 15, T35S, R11W, SLM. Chad reviewed proposed conditions which will be presented to the Planning Commission. He invited the Commissioners to suggest any changes or additions they would like. No action was required by the Commission.

CONDITIONAL USE PERMIT FOR SURFACE MINING :

Chad Nay reported to the Commission that IronRidge Civil Solutions, Inc. (Heath Oveson), has applied for a conditional use permit in behalf of Frank & Celestia Nichols on property identified at tax ID number D-0004-0005-0000, account number 432200, legal description: ALL SEC 2, T34S, R10W, SLM to conduct surface mining. The property is adjacent to the existent gravel pits located in Parowan Valley near the Parowan Gap road. Chad reviewed proposed conditions which will be presented to the Planning Commission. He invited the Commissioners to suggest any changes or additions they would like. No action was required by the Commission.

CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

COUNTY BOARD APPOINTMENTS DISCUSSION :

MCAT Board: Dale Brinkerhoff made a motion to appoint Cindy Bulloch to the Multi County Appraisal Trust as Iron County representative to replace Dennis Ayers. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Career Service Council: Career Service Council member Wayne Clark was replaced by Natasha Hirschi for a three year term to expire June 2014. Sandra Benson was reappointed for a three year term with her term expiring June 2013 on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Central Iron County Water Conservancy District: Dale Brinkerhoff made a motion to request nominations for consideration by the Commission to bring the Board into compliance with State Code as follows:

Kanarraville/Unincorporated areas	1 representative
Unincorporated/Agricultural Interest	1 representative
Enoch	2 representatives

Cedar City

3 representatives

Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Three members of the Board have terms expiring in 2011.

Bookmobile Library Board: Dale Brinkerhoff was appointed to replace Lois Bulloch as Commission Representative.

Boundary Commission: Dale Brinkerhoff was appointed to replace Lois Bulloch as Commission Representative.

Cindy Bulloch was appointed to replace Dennis Ayers as a County representative on the Boundary Commission Board.

Council on Aging: Dan Webster was appointed to replace Lois Bulloch as Commission Representative.

Iron County SSD # 3: Alma Adams was appointed to replace Wayne Smith as Commission Representative. Kim Evans was appointed to an additional term to expire February 2015 and Craig Laub was appointed to an additional term to expire February 2014 on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Southwest Mental Health Board: Dale Brinkerhoff was appointed as the Iron County representative to the Southwest Mental Health Board.

Southwest Utah Public Health Board: Dale Brinkerhoff was appointed as the Iron County representative to the Southwest Utah Public Health Board.

Five County Association of Governments: Dale Brinkerhoff was appointed as the Iron County representative to the Five County Association of Governments Board.

ADJOURN _____ :

The meeting was adjourned at 2:30 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



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

Alma L. Adams
Signed: Alma L. Adams, Chairman

**IRON COUNTY COMMISSION MEETING
January 24, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 24, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

Deborah B. Johnson	County Recorder
Geraldine Norwood	County Treasurer
Cindy Bulloch	County Assessor
Scott Wilson	Central Iron County Water Conservancy District

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

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

APPROVAL OF MINUTES January 10, 2011 :

Minutes of the Iron County Commission meeting held January 10, 2011 were approved on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Debbie Johnson presented a report of revenue for the Recorder's office for 2010. Revenue is slightly higher than in 2009 but is not as high as the 2008 level. Debbie also reported

that the Recorder's office is nearing completion of printing new plat map books for 2011. This is weeks ahead of previous years. She recognized her employees in the mapping department and her temporary employees.

Geri Norwood presented a report of tax distributions for the fourth quarter of 2010. She also reported that at the present time there are 509 tax accounts with delinquencies that will go to tax sale in May if not redeemed. Owners have been sent certified letters notifying them of pending tax sales.

Scott Wilson, Central Iron County Water Conservancy District, reported on District activity during the past year. He reported that the District had completed filing on water rights in the west desert areas of Wah Wah Valley and Pine Valley in Iron and Beaver Counties. A public hearing was conducted by the State Water Engineer in Beaver during the summer. The hearing lasted over ten hours. A final decision has not been made and could be several years away.

Scott reported on the Lake Powell Pipeline project. It is anticipated that preliminary studies will be completed in February which will be submitted to the Federal Energy Regulatory Commission. This could also start the process of doing environmental impact statements.

David Yardley asked about a proposed ballot question which Enoch City is studying to place on the November ballot to determine if the citizens support continuing with the Lake Powell pipeline project. Mr. Wilson responded that it is still early in the study process and without adequate information on the cost / benefit being fully available, it is premature to have a ballot issue.

Reed Erickson reported that a replacement was being sought for the Forest Service RAC Committee. Lois Bulloch continues to serve on this committee as a County representative. Reed also explained that proposed funding is not currently being considered for several prairie dog enhancement projects through the RAC. The projects will be combined to see if they can get funding through this source.

Cindy Bulloch reported that personal property affidavits have been mailed to business owners which are due back by May 15. She also reported on progress with implementing the change to mass appraisal software, Colorado Software, in July. This will allow the current tax roll to be completed before the change over.

Cindy discussed the option to process credit card payments in the Assessor's office. She explained the problem with merchant fees and how that would affect total payments. She was encouraged to proceed with providing the ability to pay by credit card.

Dale Brinkerhoff reported that at Five County AOG they discussed CDBG grant applications. The phase two funding of Cedar Housing Authority for \$150,000. Additional grants are still under consideration including an Iron County request for an ambulance to serve the Escalante valley area.

Dan Webster reported that he attended a board meeting of Frontier Homestead State Park. There is a concern that the State will move to close the park which would be a great detriment to the area by losing this portion of our heritage.

Dan also reported that the Sheriff is considering procuring a snow cat for search and rescue operations. The Sheriff will make a formal request at a later date.

Dan reported that Life Flight is now available in our area which will be a huge benefit in extracting injured patients and getting them to emergency rooms quickly.

Alma Adams reported that UAC is working with the legislature to get legislation passed that requires full funding of jail reimbursements. One proposal would add a \$0.05 tax on beer sales to be dedicated to jail reimbursement.

UTAH HIGHWAY PATROL CONTRACT APPROVAL 2011 :

A contract between Iron County and the Utah Highway Patrol to provide overtime shifts on State highways including I-15, SR 56, SR 14, SR 143, SR 20 and SR 130 was presented for consideration. Sergeant Ryan Bauer presented statistics of the success of the program over the past year. He also explained the criteria used in selecting areas for additional enforcement. These include areas of high accident rates.

After reviewing the proposed agreement, Dan Webster made a motion to approve the contract with the UHP through December 31, 2011. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The Commission also recommended that Sheriff Gower put together a presentation regarding a proposal to add an additional officer in the Patrol division to be designated for traffic enforcement.

PILT PAYMENT DEPARTMENT OF WILDLIFE RESOURCES :

Douglas Messerly, Utah Division of Wildlife Resources, met with the Commission to deliver a check for payment in lieu of taxes for property owned by DWR within Iron County identified as critical deer habitat. The check for \$2,505.23 was accepted by the Commission and a receipt was signed by the Commission Chair.

TAX MATTER BRIAN HEAD TOWN REQUEST _____ :

Geri Norwood presented a request from Brian Head Town to abate a portion of the 2010 property tax on property serials #'s A-11489-A-4; A-1189-A-255; A-1189-A-54; A-1189-A-58; A-1189-A-60; A-1189-A-62; A-1189-A-63; and A-1189-A-65. She explained that Brian Head Town took ownership on December 6, 2010 through a foreclosure action. The total tax requested for abatement is \$567.72. All prior taxes will be paid by Brian Head.

Dale Brinkerhoff made a motion to approve placing the properties in tax exempt status effective December 6, 2010 and to abate the tax of \$567.72 from the 2010 tax amount. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION 2011-2 HEALTH REIMBURSEMENT ARRANGEMENT PLAN:

Colette Eppley presented a proposed resolution authorizing the County to participate in a health reimbursement arrangement plan for 2011. She explained that this is a requirement of the service provider. Dale Brinkerhoff made a motion to adopt Resolution 2011-2 as follows. Second by Dan Webster.

IRON COUNTY, UTAH

RESOLUTION 2011-2

January 24, 2011

**A RESOLUTION OF THE IRON COUNTY, UTAH COMMISSION
AUTHORIZING PARTICIPATION IN A HEALTH REIMBURSEMENT
ARRANGEMENT PLAN, AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Iron County, Utah is a governmental entity established under the laws of the State of Utah, and governed by Utah State Code, Annotated 1953 as amended; and

WHEREAS, Iron County, Utah provides salary and benefits to County employees and therefore is designated as Employer; and

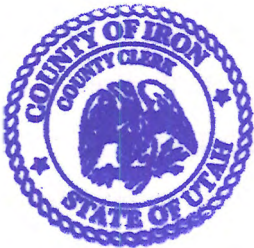
WHEREAS, Iron County, Utah has opted to participate in a Health Reimbursement Arrangement Plan effective January 1, 2011;

NOW THEREFOR, BE IT RESOLVED by the Board of County Commissioners of Iron County, Utah that the form of amended Health Reimbursement Arrangement presented at this meeting is hereby approved and adopted and that the duly authorized agents of Iron County are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

BE IT FURTHER RESOLVED that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the plan and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

BE IT FURTHER RESOLVED that the duly authorized agents of Iron County shall act as soon as possible to notify the employees of Iron County of the adoption of the Health Reimbursement Arrangement Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved and attached to this Resolution as Exhibit "A".

Passed and adopted by the Board of County Commissioners of Iron County, Utah this 24th day of January, 2011.



IRON COUNTY BOARD OF COUNTY COMMISSIONERS

Alma L. Adams, Chairman

ATTEST:

David I. Yardley, Iron County Clerk

VOTING:

Alma L. Adams Aye

Dale M. Brinkerhoff Aye

Dan L. Webster Aye

PERSONNEL MATTERS :

Colette Eppley presented a position justification and workforce assessment for a seasonal weed spray applicator for approval. She explained to the new Commissioners that this is a temporary position which would be only for the weed season. The position is budgeted. Dale Brinkerhoff made a motion to approve the justification and workforce assessment as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a position justification and workforce assessment for a maintenance technician within the Road Department. The request is to replace an existing vacant position which was not filled in 2010. Dan Webster made a motion to approve the position justification and workforce assessment for a maintenance technician and to request a job description review prior to advertising the position. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette also presented a proposed contract for Art Tait as a RS 2477 road consultant under the supervision of the Engineer's office. Mr. Tait would have office space within the Engineer office and the position would be funded under the current approved budget. Dale Brinkerhoff made a motion to approve the contract as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

BOARD OF EQUALIZATION :

Christene Lowder presented three late Veterans abatement applications submitted for property tax credits. Total adjustment would be for an additional \$2,301.52 in tax credit. Dan Webster made a motion to approve the Veterans abatement applications as requested with the appropriate retroactive dates. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The request for tax exemption for several properties owned by the Dixie and Anne Leavitt Foundation was recalled for action. Michael Edwards reported that it appears that only a portion of the units qualify under Utah State Code guidelines. Cindy Bulloch reported that in discussions with State Tax Commission employees that the properties did not qualify if a portion of residents were paying a portion of their rent or if there were rent paying tenants. In order to qualify for the exemption the entire unit would need to be used for a charitable purpose.

After reviewing the current status, the matter was tabled to the next meeting to allow for additional information to be gathered from the Dixie and Anne Leavitt Foundation.

UTAH PRAIRIE DOG TAKE ALLOCATION FOR 2011 :

Adam Kavalunas, Division of Wildlife Resources, met with the Commission to distribute permanent take for 2011. Adam explained the way take is calculated which includes a five year

rolling average of adult prairie dogs located on Federal or protected lands. In 2010 the annual count was 391 with a five year average of 557. Iron County will receive 55.7 dogs to distribute this year with a carry over from 2010 of 50.49 dogs and 1.1 from the SITLA mitigation bank.

Adam also discussed the relocation program which includes moving of trapped animals to approved relocation sites. Adam explained that the animals moved are typically juveniles with a few adults. Survival rate is comparable to natural colonies.

After reviewing requests and responses the Commission approved the following take for 2011 on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye:

Rob Bernhardt C/O Grace Christian Church 3.0 dogs on 0.3 acres south of church.

Karim Lakhdari North Park Subdivision 10.0 dogs acreage to be determined.

Bob Fulton Equestrian Pointe Subdivision 3.0 dogs on 0.3 acres.

The remainder of take, 91.29 dogs will be available for distribution as requests are received.

RESOLUTION 2011-3 GENERAL PLAN UPDATE AUTHORIZATION :

A Resolution giving direction to update the Iron County General Plan with regards to public land planning, incorporate the Iron County Resource Management Plan (ICRMP), and declaring policy regarding Wilderness in Iron County was introduced by Reed Erickson. He explained that the current Federal administration has made executive decisions without Congressional approval to designate and manage as wilderness certain areas of Bureau of Land Management areas within the State. He also explained that the current General Plan briefly addresses this issue but needs additional supporting language to clarify the intent of Iron County to manage lands as multiple use areas without undue Federal intervention.

Dale Brinkerhoff made a motion to adopt Resolution 2011-3 and to direct the Planning Commission to prepare recommendations to the Commission for amendments to the Iron County General Plan. Second by Dan Webster.

**IRON COUNTY UTAH
RESOLUTION 2011-3
January 24, 2011**

**A RESOLUTION GIVING DIRECTION TO UPDATE THE IRON COUNTY
GENERAL PLAN WITH REGARDS TO PUBLIC LAND PLANNING,
INCORPORATING THE IRON COUNTY RESOURCE MANAGEMENT PLAN,
AND DECLARING POLICY REGARDING WILDERNESS IN IRON COUNTY.**

WHEREAS, Iron County, Utah adopted Ordinance 137, County General Plan in 1995, that gives general direction to planning within the County, and

WHEREAS, in 2009 Iron County developed, in cooperation with federal land managers, the Iron County Resource Management Plan (ICRMP) that outlines how Iron County and the public land agencies will cooperate, coordinate and review Federal land use plans for

consistency with local plans, and under the ICRMP, the County can develop County resource plans that provide desired management direction for specific resources, and

WHEREAS, Iron County desires to adopt the ICRMP and subsequent appendixes containing resource specific plans into the Iron County General Plan by amendment, and

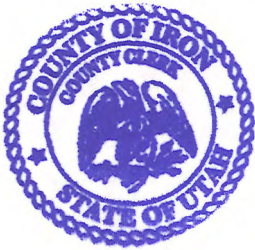
WHEREAS, the Bureau of Land Management has recently been directed by the Secretary of Interior to designate lands with "wilderness characteristics" as "Wild Lands" and manage such lands as "wilderness", and

WHEREAS, Iron County has been given direction in the Iron County General Plan that there is sufficient wilderness designated within the County, and

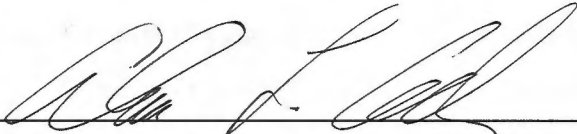
WHEREAS, Iron County desires more specific direction be given in the Iron County General Plan regarding proposed wilderness and Wild Lands designations by Federal land management agencies.

NOW THEREFORE BE IT RESOLVED, Iron County develop a Resource Specific Plan regarding proposed wilderness areas in the County to become an appendix to the ICRMP and adopted into the Iron County General Plan by amendment.

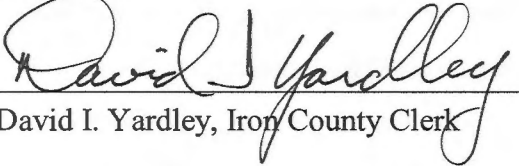
Passed and adopted by the Board of County Commissioners of Iron County, Utah this 24th day of January, 2011.



IRON COUNTY BOARD OF COUNTY COMMISSIONERS


Alma L. Adams, Chairman

ATTEST:


David I. Yardley, Iron County Clerk

VOTING:

Alma L. Adams Aye
Dale M. Brinkerhoff Aye
Dan L. Webster Aye



PUBLIC COMMENTS :

Don Young questioned where expenditures to Cedar City for the construction of the Cedar City Aquatic Center were located in the budget for 2009. Commissioner Alma Adams explained that the expenditures came from the restaurant tax fund and the transient room tax fund for the original \$500,000 and the additional \$750,000 came from county general fund as a loan to the restaurant tax fund. Mr. Young was referred to the County Auditor to show where fund transfers were located.

Don Young questioned the wisdom of bonding for \$2,000,000 to be paid from the restaurant tax fund to secure a funding source when the restaurant tax is not under attack this year at the legislature. The Commission explained that the process has been started to conduct public hearings. The final execution of the bond has not been scheduled.

CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

PRAIRIE DOGS :

Alma Adams reported that the Bureau of Land Management is studying enhancing the habitat at Wild Pea Hollow and Little Horse Valley for prairie dogs. By providing additional forage sources and reducing brush, the areas could be more receptive to prairie dog populations.

COUNTY BOARD APPOINTMENTS :

Weed Board: Kim Evans and Craig Clark were appointed to an additional four year term to expire February 2015 on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Planning & Zoning Board: James Guymon and Calvin Robinson were appointed to an additional three year term to expire February 2014 on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The following terms were restated with expiration dates to clarify any conflicts with prior year minute entries:

Kenneth Esplin	Term Expires February 2012
Michael Brown	Term Expires February 2012
Craig Jones	Term Expires February 2012
Chris Dahlin	Term Expires February 2013
Lou Tong	Term Expires February 2014



ADJOURN :

The meeting was adjourned at 3:10 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Attest: David I. Yardley
County Clerk


Signed: Alma L. Adams, Chairman

**IRON COUNTY COMMISSION MEETING
February 14, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 14, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

Scott Garrett	County Attorney
Mark Gower	County Sheriff
Margaret Miller	Justice Court Judge
Brett Allred	Corrections

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Gene Adams.

APPROVAL OF MINUTES January 24, 2011 :

Minutes of the Iron County Commission meeting held January 24, 2011 were approved on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Scott Garrett reported on work within the County Attorney’s office. He reported the need to consider a new public defender to work in the Juvenile Court. Last year the County spent \$23,000 to cover conflict cases. Scott proposed a new public defender to work in Juvenile Court and to handle conflict cases in District Court. He also requested a full time receptionist that could be trained and certified to conduct background checks.

Kal Kahler discussed recharge options for excess water during high water or flood events. Options included borrow pits, gravel pits or injection wells. He suggested injection wells would be the most efficient way to recharge the water table in Cedar Valley. He pointed out that the water would need to be placed in holding areas to allow the sediment to settle out so that the suspended particles do not plug off the injection wells.

Mark Gower reported on concern with his current budget in regard to fuel costs. With the price of fuel quickly escalating with government uprisings and conditions in the middle east, there is speculation that fuel prices could increase dramatically over the next few months.

Sheriff Gower also discussed the effects of the deployment of the National Guard unit in Southern Utah expected in June. This will affect several officers in the Sheriff’s department including patrol and corrections officers.

Sheriff Gower commented that he is exploring the option of leasing vehicles for the patrol division instead of purchasing vehicles each year. This will allow for a more efficient turn over of vehicles in the fleet. Additional information will be provided and Commission approval received before a final decision is made.

Margaret Miller reported that she has been appointed as a new justice court judge mentor for the southwest portion of the state. She will be responsible for training and helping new judges become certified with the State Court Administrator’s office.

Judge Miller also reported that the Iron County Court is ranked as a level one Court and is eleventh out of one hundred forty Courts in the State based on the amount of fines and forfeitures processed.

Brett Allred reported that the Jail is in the process of updating policies to bring them into compliance with State and Federal guidelines. Gary DeLand has agreed to review the policies and provide recommended changes.

Commander Allred reported that he is expecting to receive additional State prisoners as contract prisoners. This should help to fill the available beds on the long term housing side.

PERSONNEL MATTERS :

Colette Eppley reported that an individual was offered a position in the Road Department but he decided not to accept the position. Additional interviews have been scheduled and a new employee should be presented for approval at the next Commission meeting.

Colette reported that the RAP program has been implemented by Departments and after the first week, feedback has been excellent and participation within Departments has been good.

BOARD OF EQUALIZATION :

Christene Lowder presented a request for Veteran exemption submitted for property tax

credit for Owen Hughes effective July 1, 2010. The exemption Mr. Hughes qualifies for is \$1,760.16. Dale Brinkerhoff made a motion to approve the exemption as requested. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The Dixie and Anne Leavitt Foundation exemption request submitted in December 2010 was recalled for action. Michael Edwards explained concerns with the way the scholarships for housing are handled i.e. if a student fails to qualify, they are allowed to continue to live in the apartment by paying standard rent. There is also a concern with part of the residents paying rent and others receiving scholarships. The Utah Code provides that the entire residence must be a charitable use to qualify for exemption.

Alan Jones, attorney for the Foundation, explained that the request is patterned after an early 1900 Supreme Court case regarding exemption of the Relief Society building in Salt Lake City. In this case it was determined that the whole building was not required to be exempted but the portion used for charitable purposes could receive the exemption.

Cindy Bulloch reviewed State standards for granting exemptions. She also explained that in discussions with the State Tax Commission there were additional issues with Southgate apartments in that they are currently subsidized housing. She recommended that the application be denied and allow the matter to be reviewed on appeal by the State Tax Commission.

Alan Jones explained that the request only covered the taxes on these parcels for 2 ½ months in 2010 and would be again applied for as housing changed for 2011.

After reviewing the matter, Dale Brinkerhoff made a motion to grant the exemption requested on the units currently housing scholarship students only. Partial scholarship units are to be denied. Second by Dan Webster.

Alan Jones questioned how this would affect the Southgate units. The Commission tabled action on the Southgate application and voted on the motion. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye. Southgate will be considered with 2011 applications and after clarification of status by the State Tax Commission.

PUBLIC HEARING PROPOSED BOND :

Dan Webster made a motion to open a public hearing pursuant to the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Alma Adams explained the purpose of the hearing is to receive input from the public with respect to the issuance of the Series 2011 Bonds. The hearing is to receive input from the public with respect to (a) the issuance of the Series 2011 Bonds and (b) any potential economic impact that the improvements financed with the proceeds of the Series 2011 Bonds may have on the private sector. The Issuer intends to issue the Series 2011 Bonds for the purpose of (a) reimbursing the Issuer for funds provided to Cedar City for an aquatic center and related improvements; (b) providing funds to the Southern Utah Museum Authority to acquire, construct and furnish a new museum and related improvements (collectively, the "Project") and related improvements, (c) funding a debt service reserve fund, if necessary, and (d) paying issuance expenses to be incurred in connection with the issuance and sale of the Series 2011

Bonds.

Matt Dougdale, George K. Baum Associates, explained the purpose of the bond, funding options including a loan from the Permanent Community Impact Fund Board and the process for bonding. He presented a handout explaining the bond market rates. He also explained the bonding process to this point. He noted that the Commission may drop out of the process at any time prior to closing.

Dorian Page, representing Southern Utah University, read a letter from SUU President Michael T. Benson urging support of the County bonding for the \$1,000,000 pledge to be funded through the restaurant tax. He stated that the project was too far advanced to change the University bond to include the \$1,000,000. A copy of the letter will be included in the comment file.

Dorian Page commented and encouraged the Commission to move forward as quickly as possible with the bond so that the project can move smoothly forward.

Diane Strachan commented that this would be a great benefit to the County to have the art museum and she encouraged County participation in the project.

Cynthia Line commented in support of the museum. She commented on the advantages of having such a facility located in Southern Utah and the ability to show larger exhibits than currently available in the Braithwaite Fine Art Center.

Ann Salviazul encouraged the Commission to move forward with funding the SUMA project.

Don Young commented against long term bonding for the project. He pointed out that the restaurant tax fund is already committed to long term funding obligations. If the funding source goes away the County would be obligated to pay the bond with general fund proceeds. If the funding is tied to the Restaurant tax, the County could opt to not pay from general tax funds.

Alisa Petersen, a representative if the Iron County School District, expressed the need for this type of facility in the area to help local students develop their talents and to provide teachers an opportunity to expose students to fine art.

Donna Law read a letter from Anne Leavitt encouraging the County to proceed with funding of the project. She also reported that currently 6.2 million of the proposed 11 million dollar cost has been committed. The County 1.0 million donation is included in the 6.2 million.

The Commission asked about the term of the proposed bond. Matt Dougdale responded that it is proposed to have a 21 year repayment.

After all comments were received and questions answered, Dale Brinkerhoff made a motion to close the public hearing. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

TRAFFIC DEPUTY AND EQUIPMENT FOR SHERIFF'S DEPARTMENT:

Mark Gower, Iron County Sheriff, submitted a request for an additional officer to work as a patrol officer in traffic. The Deputy would be assigned to work in conjunction with UHP

troopers in an effort to provide enforcement of traffic laws to help reduce accidents within the County. He proposed that the officer work 250 shifts per year which averages five shifts per week.

Commissioner Webster stated that safety is the County's primary concern. He suggested that the Sheriff use existing staff for the first year and to authorize the lease or purchase of equipment.

After discussing the issue further, Dan Webster made a motion to approve reassigning an officer to traffic patrol and to provide a vehicle and equipment for the position. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

LEASE OF NEW SNOWCAT FOR SEARCH AND RESCUE :

Mark Gower also presented a request to enter into a lease agreement for a new snowcat vehicle for search and rescue. The vehicle proposed can be towed by a pickup, weighs about 6,600 pounds and has a top speed of 14 mph. He also explained that the vehicle would be used in operations primarily for recovery of victims that cannot be easily retrieved by snowmobiles. It will also provide backup in areas that snowmobiles have problems negotiating.

The Commission asked about funding the lease or purchase. Sheriff Gower explained that by trimming overtime budgets and using some Search and Rescue funds, the vehicle could be obtained under the current budget. Sheriff Gower agreed to reduce overtime by \$25,000 per year over the next six years to pay for the vehicle.

Dale Brinkerhoff made a motion to consider transferring funds within the Sheriff Department patrol budget to fund the lease of a snowcat. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC HEARING PERMANENT COMMUNITY IMPACT BOARD LOAN

APPLICATION :

Dale Brinkerhoff made a motion to open a public hearing to receive comments concerning a loan application to the Permanent Community Impact Board to fund the Iron County commitment to the Southern Utah Museum of Art (SUMA). Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Matt Dougdale explained that funding from the Permanent Community Impact Board commonly identified as CIB may be a funding source for the proposed funding of the SUMA project. Some of the restrictions for CIB consideration include:

1. The loan has not been approved by CIB.
2. Interest rate on an applied for loan has not been set.
3. A CIB loan (Bond) will require an Iron County ownership interest in the structure and will require a title report and title insurance.

The County will not be asked to provide operating and maintenance funding over the course of the project. After the County obligation is completed, the County interest in the facility will be deeded to Southern Utah University.

After all comments were received Dale Brinkerhoff made a motion to close the public hearing. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale

Brinkerhoff, Aye.

UTAH STATE UNIVERSITY COOPERATIVE AGREEMENT FOR 2011 :

Chad Reid and Kathy Riggs representing Utah State University Extension Services, presented an agreement for extension services within Iron County for calendar year 2011. Chad reviewed the proposed budget and discussed options for space at the Visitor Center Office Building.

Dale Brinkerhoff made a motion to approve the agreement and to authorize the Commission Chair to sign in behalf of Iron County. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Chad Reid collected the signed agreements and will forward them to USU for additional signatures.

RESOLUTION 2011-4 APPOINTING MEMBERS OF REGIONAL RESPONSE TEAM:

Charlie Morris presented a request to adopt Resolution 2011-4 which is required to appoint executive committee members to the Southwest Regional Response and Coordinating Team. He explained that committee members need to be appointed by the County every two years. Dale Brinkerhoff made a motion to approve and adopt Resolution 2011-4. Second by Dan Webster.

**IRON COUNTY, UTAH
RESOLUTION NUMBER 2011-4
February 14, 2011**

**A RESOLUTION APPOINTING EXECUTIVE COMMITTEE MEMBERS TO
THE SOUTHWEST REGIONAL RESPONSE AND COORDINATING TEAM**

WHEREAS, Iron County participates in the Southwest Regional Response and Coordinating Team, and

WHEREAS, Iron County may appoint two voting members to the Executive Committee for a term of two years,

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Iron County, Utah, as follows:

1. Charles Morris is hereby appointed to fill a term of office as a member of the Executive Committee of the Southwest Regional Response Team, which term will expire on December 31, 2012.
2. Paul Irons is hereby appointed to fill a term of office as a member of the Executive Committee of the Southwest Regional Response Team, which term will expire on December 31, 2012.

Passed and adopted by the Board of County Commissioners of Iron County, Utah this 14th day of February, 2011.



IRON COUNTY BOARD OF COUNTY COMMISSIONERS

Alma L. Adams, Chairman

ATTEST:

David I. Yardley, Iron County Clerk

VOTING:

Alma L. Adams Aye

Dale M. Brinkerhoff Aye

Dan L. Webster Aye

VOLUNTEER RECOGNITION :

Tracy Garrett, Volunteer Center of Iron County, presented Judy Wood as the outstanding County volunteer. She is a retired teacher that volunteers as a mentor in the Escalante Valley Elementary School. She works helping students learn to read and has worked for several years in the school.

Tracy also recognized the Cedar City Volunteers in Police Service consisting of ten members as the outstanding County volunteer group. The group has donated over 2,000 hours as volunteers helping in various police duties as assigned.

The Commission congratulated the volunteers and presented certificates noting their outstanding work.

SOUTHERN UTAH MOBILE CRISIS TEAM, INC :

Clint Kelly, Mobile Crisis Team Director met with the Commission to request a donation to help defray costs of operation within Iron County. He explained that they receive grant funds for their operation however they can only bill after service is provided which causes a cash flow issue.

The Commission explained that County budgets were set in December and there are no discretionary funds included within the budget. Mr. Kelly was reminded that if in the future the Mobile Crisis Team wanted to request funding from the County they would need to apply during the budget process.

UPDATE ON SOUTHWEST DESERT GREATER SAGE GROUSE :

Dr. Nicki Frey, SUU Biology Department and representing USU Extension presented a report on sage grouse management in the Southwest desert areas. There are currently healthy populations of sage grouse in Bear Valley, Dog Valley, Parowan Gap, Greenville Bench, Hamblin Valley and the Bald Hills areas. Populations are holding steady or increasing in these areas.

She noted that one area of concern is with fences which can cause problems for the birds. She noted one solution seems to be "flagging" fence wires by attaching pieces of aluminum siding which the birds apparently can see.

A request was filed five years ago to list the Greater Sage Grouse as endangered. The species has been studied and no listing has been approved by the Federal Fish and Wildlife Service. The listing status is reviewed annually. No action was required of the Commission.

MOU COOPERATING AGENCY WITH BLM :

Michael Worthen met with the Commission to present a proposed Memorandum of Understanding (MOU) which will allow Iron County to become a partner in the development of a resource management plan. There were some changes in the draft document Mr. Worthen suggested which will allow for better participation by the County. There were some changes suggested by Mr. Worthen which will be submitted to the BLM for their approval prior to final adoption.

The Commission approved designating Mike Worthen as the Iron County representative for coordination with BLM. The matter was tabled to allow incorporation of proposed changes and approval by the BLM with the proposed changes.

PUBLIC COMMENTS :

Michael Worthen discussed with the Commission a map which outlined parcels that SITLA has designated as parcels to dispose or trade. Most are embedded in BLM property and could be traded for properties with more economic value.

TAX MATTERS :

Geri Norwood requested removal of 2006 and 2008 Personal Property Tax for Spirit Aviation. Property account # 0490767, property serial # S-0811-0000-0000. Spirit Aviation is no longer in business and there are no assets upon which a tax can be attached. The amount of personal property tax for the two years totals \$308.00. Dale Brinkerhoff made a motion to approve the abatement of \$308.00 for Spirit Aviation personal property tax for 2006 and 2008 tax years. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Geri also requested the abatement of the 2006 tax balance on a parcel purchased by Southern Utah University tax account # 61819, Serial # B-1015-0000-0000. The tax was paid prior to SUU ownership. The remainder is for the remainder of the year when the property was owned by SUU. Dale Brinkerhoff made a motion to approve abating the tax on the above listed property for the 2006 year in an amount of \$1,110.44 because it was owned by a tax exempt agency. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REQUEST FOR WAIVER OF PROPERTY TAX PENALTY :

Geri Norwood presented a request by Charles Danesh to waive the \$10.00 late payment penalty on property account # 293297, Serial # E-1229-0003-0636. Mr. Danesh' request was based on their contention that they had never been late in the past and that the County should be

willing to waive the late fee. Dale Brinkerhoff made a motion to deny the request to waive the late fee. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

COUNTY BOARD APPOINTMENTS DISCUSSION AND ACTION :

Central Iron County Water Conservancy Board: Dale Brinkerhoff made a motion to appoint Robert "Bob" Rasmussen as Enoch City representative; Keith Williams as Kanarraville Town/Rural representative; Brent Hunter as Agricultural representative; and Steve Wood as a Cedar City representative for a term of four years. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

APPROVE QUIT CLAIM DEED TO SOUTHWEST UTAH PUBLIC HEALTH :

David Yardley reported that the bond sponsored by Iron County and financed through the Municipal Building Authority of Iron County identified as Municipal Building Authority of Iron County, Utah \$1,143,750 Lease Revenue Bonds Series 2001B was paid in full on December 20, 2010. He requested approval to issue a quit claim deed to Southwest Utah Public Health for the property purchased from bond proceeds. Dale Brinkerhoff made a motion to approve issuing a deed from Iron County to Southwest Utah Public Health. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC HEARING REQUEST :

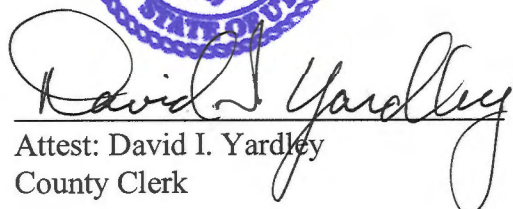
David Yardley reported that a group of citizens living in the Midvalley area have submitted a request for a public hearing in compliance with Utah Code Title 10-2-125 to present a proposal to incorporate an area from current Enoch City boundary to the east side of Midvalley Estates Subdivision. A map of the proposed area and the required signatures were submitted. The application complies with the requirements of Utah Code.


Dale Brinkerhoff made a motion to schedule a public hearing on the request at 7:00 p.m. on March 24 at the Iron Springs Elementary School located at 1685 W. Midvalley Road and to authorize notification of residents in compliance with Utah Code. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

ADJOURN :

The meeting was adjourned at 4:00 p.m. on a motion by Dan Webster. Second was by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.




Attest: David I. Yardley
County Clerk


Signed: Alma L. Adams, Chairman

**IRON COUNTY COMMISSION MEETING
February 28, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 28, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

Colette Eppley	Human Resource Director
H. Eugene Adams	County Auditor
Brennan Wood	Economic Development

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Colette Eppley.

APPROVAL OF MINUTES February 14, 2011 :

Minutes of the Iron County Commission meeting held February 14, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RAP TRAINING :

Colette Eppley presented Risk Awareness Training (RAP) to the Commission. The program has been implemented in the County Departments and is now starting the fourth week of training. Employees are required to attend a minimum of 85% of the training annually. The training is geared to the needs of individual departments with the emphasis of reducing accidents and injury to County workers.

REPORTS :

David Yardley reported that the Clerk's budget does not have areas of concern at this time. The Clerk's office is working on resolving old delinquent landfill accounts and with scanning older voter registration forms into the voter registration system. Old marriage licenses are also being scanned and associated with the marriage index to provide an archivable electronic record.

Colette Eppley reported on the work completed by the Human Resource Department. She explained the number of new employees processed. New employees included the new Commissioners and the Assessor. All of the new employees are replacing vacant positions within various Departments as the County has a hiring freeze. She also reported on workers comp claims which currently totaled \$228,000 for 2010. There were some significant claims which resulted in a large increase for the 2010 year.

Brennan Wood reported on activity in Economic Development. He presented a brochure which will be mailed to prospective industries considering relocating to Iron County. A printing error will delay the mailing to allow the brochure to be redone.

Mr. Wood also explained that due to unrest in the middle east which has resulted in oil price hikes and government changes, inquiries and expansion plans have been put on hold by Companies who were exploring options. There are several companies that have expressed interest in the area in the past that may return when the economy is stabilized.

Mr. Wood reported that CML Metals is moving forward with the construction of a milling operation. There will be a tour of their facility on March 8 in conjunction with SUPAC. The Commissioners were invited to attend.

Reed Erickson reported on a County office cleanup scheduled for April 29. He also reported on progress with painting offices in the Courthouse. This project is on hold due to illness in an employee's family.

Dale Brinkerhoff discussed a concern with Southwest Behavioral Center mileage reimbursement procedure. He explained that he received a payment to attend a meeting without filling out a request and when he had driven a County vehicle to the meeting. He submitted the reimbursement check to the County Auditor.

Alma Adams reported that the County Seat TV programs which is broadcast on Sunday mornings at 8:00 a.m. on KUTV TV is preparing to spotlight Iron County. The program emphasizes different Counties and issues affecting those Counties.

IRON COUNTY BUDGET REPORT :

Eugene Adams presented a summary budget report for the County. He also presented overtime reports for January and February. He explained that all budgets seem to be in line with projected expenditures. Items that show a large expenditure are items that have only an annual payment i.e. insurance, UAC fees, etc. Overtime is a concern and increased in February over January. Dale Brinkerhoff requested that Department Supervisors give a detailed justification of overtime authorization be submitted with time accounting was discussed. Overtime will continue to be reviewed monthly.

UPDATE FROM SENATOR ORRIN G. HATCH'S OFFICE :

Marreen Casper, Director of the Southern Utah Office of Senator Orrin Hatch introduced Tilly Huntsman, a full time intern working in the Cedar City office. She reported that Senator Hatch is the senior ranking member of the minority party of the Senate Finance Committee. He also serves on the Judiciary and Joint Committee on Taxation. Items he is working on include a balanced budget amendment, repeal of the Obama Health Care program, immigration reform and delisting the grey wolf from the endangered species act.

TAX MATTER MCMAHON _____ :

Geri Norwood reported to the Commission on the progress of tax payments on a deferral agreement between the County and Darrell McMahon and Paula McMahon for their property identified as serial # E-0185-0004-0000, account # 0149449. A payment was received this morning leaving a balance of \$4,183.76 which will be due before April 1. The Commission recommended that the County Attorney draft a letter to the McMahon's outlining the problem and the agreement to bring the taxes current before this tax year. Action was tabled to the April 11 meeting to allow time to bring the account current and avoid the property being listed on the annual tax sale.

INCENTIVE APPLICATION FOR GENPAK LLC _____ :

Brennan Wood, Economic Development Director, presented a request from GenPak LLC for an expansion project. The project would involve purchase and remodel of the neighboring Liggett and Platt building and would add warehouse and production space. The incentive agreement is for five years with 2011 as the base year.

Dale Brinkerhoff made a motion to support the project and approve the agreement for five years. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Mr. Wood requested a change in procedure in which he would bring the final agreement in for approval at the time the County is notified. This will allow for quicker turn around time for incentive agreements to be completed. The Commission stated they were not opposed to this plan.

MOU WITH BLM RE RESOURCE MANAGEMENT PLAN :

This Memorandum of Understanding (MOU) establishes a cooperating agency relationship between the Bureau of Land Management's Cedar City Field Office ("BLM") and Iron County for the purpose of preparing the Cedar City Field Office Resource Management Plan and associated Environmental Impact Statement (CCFO RMP/EIS). The BLM is the lead federal agency for development of the CCFO RMP/EIS. The BLM acknowledges that the Cooperator has special expertise applicable to the CCFO RMP/EIS effort, as defined at 40 CFR 1508.15 and 1508.26. This MOU describes responsibilities and procedures agreed to by Iron County as a Cooperating Agency and the BLM ("the Parties").

Dale Brinkerhoff made a motion to approve the MOU designating Iron County as a Cooperating Agency and to designate Michael Worthen as the Iron County contact. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PERSONNEL MATTERS :

Colette Eppley presented a request to approve the hiring of Dustin Wood as a maintenance worker at the Road Department. This is a vacant position that is being filled. Dan Webster made a motion to approve the hiring. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a request to transfer Trudy Rainey to a full time Attorney secretary/receptionist from a shared position with the Attorney and Building Department.

She also requested approval of a transfer of Rebecca Fenn to a shared position with the Engineer and Building Department. The split proposed will be 70/30 Engineer to Building. Dale Brinkerhoff made a motion to approve the two inter department transfers as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a volunteer approval request for Teresa Jakowich as a volunteer at the animal shelter. Dale Brinkerhoff made a motion to approve Ms. Jakowich as an animal shelter volunteer. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A promotion request for Tyler Romeril to be advanced from a Deputy Attorney 2 to Deputy Attorney 3 effective February 20, 2011 was tabled on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye. The Commission needed time to review budget amendments to cover an additional \$13,348 in possible salary adjustments within the Attorney's office during the current budget year. Approval will be retroactive to the promotion qualification date.

Colette presented a position justification for an outreach worker to work in Parowan and Cedar City. The position is currently vacant due to the termination of the previous worker. Dan Webster made a motion to approve the position justification as requested. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A position justification to replace a Jail employee who has accepted employment with the FBI was approved on a motion by Dan Webster. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PART TIME PUBLIC DEFENDER DISCUSSION _____ :

Scott Garrett presented a request to hire a part time public defender to work in Juvenile Court and to serve as conflict counsel for District Court. He explained that currently public defenders are under scrutiny because of case load. There is also a problem with multiple judges scheduling court at the same time making it difficult for Attorney's to be in two courts at the same time. It is anticipated that a part time attorney could be hired for about \$25,000 annually.

Dale Brinkerhoff made a motion to approve contracting with an additional attorney to handle cases in Juvenile Court and as conflict counsel in District Court. Also to authorize a budget adjustment to the County Attorney budget of \$10,000 to help defray expected costs. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION 2011-5 FEDERAL AND STATE AGENCY COORDINATION :

Michael Edwards introduced proposed resolution 2011-5 and explained the reason to adopt the resolution is to put State and Federal agencies on notice of Iron County's intent to participate in coordination efforts with those agencies. Dale Brinkerhoff made a motion to adopt Resolution 2011-5 as presented. Second by Dan Webster.

IRON COUNTY UTAH

RESOLUTION 2011-5

February 28, 2011

A RESOLUTION TO ESTABLISH A COORDINATION POLICY WITH RESPECT TO FEDERAL AND STATE AGENCIES.

WHEREAS, Iron County is a unit of local government in the State of Utah; and

WHEREAS, Iron County is therefore entitled to engage in the coordination process with all federal agencies as mandated by Congress; and

WHEREAS, Iron County exercises the local police powers to protect public health, safety and welfare reserved to the States and to the people under the Tenth Amendment to the United States Constitution; and

WHEREAS, the proper exercise of those reserved powers requires that all federal agencies engage in the coordination process with this County; and

WHEREAS, the statutes of Utah State require that state agencies engage in coordination with Iron County, and the protection of the public health, safety and welfare of the people of Iron County requires engagement in such coordination;

NOW THEREFORE BE IT RESOLVED that Iron County establishes the policy that it will engage in the coordination process with all federal agencies and with all state agencies; and

BE IT FURTHER RESOLVED that since Congress defined the coordination process in the Federal Land Policy Management Act, and the United States Supreme Court has ruled that

when Congress defines a term, the term means the same in any statute that is in pari materia, it is the policy of this County that it will engage in the coordination process as defined by Congress in FLPMA.

Passed and adopted by the Board of County Commissioners of Iron County, Utah this 28th day of February, 2011.



IRON COUNTY BOARD OF COUNTY COMMISSIONERS

Alma L. Adams, Chairman

ATTEST:

David I. Yardley, Iron County Clerk

VOTING:

Alma L. Adams	<u> Aye </u>
Dale M. Brinkerhoff	<u> Aye </u>
Dan L. Webster	<u> Aye </u>

LEASE PROGRAM FOR VEHICLES :

Sheriff Mark Gower reported that he has received additional information on a vehicle lease program he is investigating. He has found that by leasing vehicles it would cost the County an additional \$84,000 over eight years. He recommended the County stay with a purchase plan and replace older vehicles while there is value left.

Sheriff Gower reported that a snowcat for use by the Search and Rescue was a different matter. It would be advantageous to lease/purchase this vehicle because grant funds are available annually to pay the lease. Grants are not available to outright purchase the vehicle. He requested authorization to enter a leasing program for a snowcat so that the vehicle could be used for training this spring before all of the snow melts. This will make the vehicle available for next winter emergencies. The Commission tabled action on this request to allow for more information to be gathered.

VOLUNTEERS IN POLICE SERVICE (VIPS) PROGRAM. :

Mark Gower presented a request to implement a Volunteer In Police Service (VIPS) program in the County. Sheriff Gower explained that the volunteers could help with crime watch at County recreation areas such as Three Peaks, Shooting Range and Woods Ranch. They would not have arrest power or carry weapons. They would help with traffic control or perimeter

security at crime scenes or accidents. He projected that it would cost \$1,400 for fuel and the volunteers would utilize one decommissioned Sheriff vehicle, a Dodge Durango, as a patrol vehicle. The unit would provide for ten volunteers donating up to twenty hours per month. Sheriff Gower also reported that the first year of operation Bill Nicks has agreed to donate uniforms for the volunteers.

Commissioner Adams requested that the Sheriff submit a detailed budget for the volunteers which specified how funding was to be allocated. The Commission also emphasized that when funding is depleted, the program would be discontinued for the remainder of the year. Action was tabled to allow for more information.

As the Commission tabled action, Wendell Shallenburger stepped forward and offered to donate \$2,000 to the operation of the VIPS program for the remainder of 2011 provided the Commission would approve the organization. The matter was recalled for consideration and Dan Webster made a motion to approve accepting the donation of \$2,000 and to approve a budget of \$2,000 for VIPS for 2011. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

CONDITIONAL USE PERMIT NOTIFICATION _____ :

Chad Nay presented a notification of a conditional use permit application submitted by Dean and Michelle Berthoty, for a guest house at Harmony Mountain Ranches, Phase 3, Lot 33, 2846 S Maverick Way, Cedar City. The conditional use permit will be considered at the Planning Commission meeting scheduled for March 3. The guest home is proposed to be constructed at the same time the main home is constructed on a lot zoned A-20.

Chad reviewed conditions being proposed and requested the Commission to submit any additional conditions they would like considered. The Planning Commission has the authority to issue conditional use permits.

TAX MATTER ERRONEOUS ASSESSMENT _____ :

Cindy Bulloch presented a request to an erroneous assessment for Marie Vacek on Tax Serial # D-1196-0005-0000, Property Account # 0436151, for property located at 884 S Canyon Dr, Cedar City, described as Lot 5, North Ridge at Cross Hollow Hills Subdivision, Phase I. She explained that the Assessor's office made a clerical error and applied the wrong tax code to the property. Dan Webster made a motion to approve correcting the clerical error as requested. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REQUEST FOR FLEX SCHEDULE ASSESSOR'S OFFICE _____ :

Cindy Bulloch requested approval of a flexible schedule to open the motor vehicle registration portion of the Assessor's office at 7:00 a.m. and remain open until 6:00 p.m. Monday through Thursday to coincide with State agency support availability. This will also be the same schedule as is currently in use at the Cedar City Justice Center office. Cindy also requested the approval of flexible work hours for the rest of the office to better utilize personnel resources. Dale Brinkerhoff made a motion to approve a flexible schedule as requested by Ms. Bulloch. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

DISCUSSION OF THE BERYL FIRE STATION REPAIR :

Nyle Bosshardt, Sterling Harker, and Don Welsh met with the Commission representing the Beryl Fire Department to discuss repairs to the Beryl Fire Station. A cost estimate prepared by Terry Palmer, Iron County Building Inspector was presented which showed that the roof could be repaired with a twenty year membrane roof, extending the roof overhang two feet, and adding rain gutter and down spouts for around \$15,000. This would include purchasing new sheet rock to repair ceiling damage within the building.

Mr. Bosshardt stated that the desire of the Fire Department would be to go with a new truss roof with more pitch and to install a metal roof. He also noted the need to install an exhaust system to ventilate the garage area of exhaust as fire vehicles are started. Currently it creates a health hazard even with the doors open.

The matter was tabled to allow for additional cost estimates for the requested roof style and ventilation exhaust system.

PUBLIC COMMENTS :

Don Young questioned why Paragonah and Kanarraville were still not required to pay for County municipal type services provided by the County. The Commission explained that the two municipalities are in the budget process for the 2011-2012 FY and they have been informed that they need to budget for the services provided.

Craig Spittler thanked the County Road Department for plowing roads during the recent snow storms for residents in the Three Peaks area. The roads were not passable except for four wheel drive vehicles. The help was greatly appreciated.

IRON COUNTY RESTAURANT TAX BOARD :

Dale Brinkerhoff made a motion to convene as the Restaurant Tax Board. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye; Maria Twitchell, Aye; Rusty Aiken, Aye.

Reed Erickson reviewed current Transient Room Tax (TRT) and the Restaurant Tax, also know as the Tourism, Recreation, Culture and Convention Tax (TRCC) funding discussion. He presented four options to deal with the commitment the Commission made to borrow funds from the General Fund to pay a portion of the construction costs of the Cedar City Aquatic Center.

Option 1 was to pay down with fund balances and future TRCC revenue with a final payoff in 2013.

Option 2 use available fund balances to retire debt on the Visitor Center and then apply these payments to the Aquatic Center payoff.

Option 3 bond on the open market and pledge TRCC as revenue stream to pay the bond over ten years.

Option 4 continue payments as was originally planned with payments from TRCC over twenty years at 2 ½ % interest.

Dale Brinkerhoff made a motion to approve option 1 with a final payoff in 2013. Second by Rusty Aiken. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye; Maria Twitchell, Aye; Rusty Aiken, Aye.

Maria Twitchell presented draft bylaws, and recommendations to reorganize the Restaurant Tax Board to include five voting members composed on one Commissioner, three representatives from the Iron County Restaurant industry and one from the Iron County Tourism Board.

Maria also presented proposed bylaws for the operation of the Board. She noted some changes that could be made and options for Board makeup. She noted however that the majority of the Board should consist of representatives from the food service industry to comply with State expectations.

The Board tabled action to amend the draft bylaws and to firm up recommendation on the proposal to amend the Board makeup.

Dan Webster made a motion to adjourn the Restaurant Tax Board meeting. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye; Maria Twitchell, Aye; Rusty Aiken, Aye.

CALENDER SCHEDULE COORDINATION _____ :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

COUNTY BOARD APPOINTMENTS _____ :

Career Service Council: Dale Brinkerhoff reported that he has contacted Natasha Hirschi and she has agreed to serve as a member of the Career Service Council. Dale made a motion to approve the appointment to replace Cindy Mitchell. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye. The Commission noted that Wayne Clark has also requested to be replaced on this board.

NEW HARMONY AGREEMENT TO PURCHASE ROCK MATERIAL _____ :

A proposed agreement between Iron County and New Harmony Town to purchase rock at the Iron County Landfill site was presented by Michael Edwards. Dan Webster noted that the proposal stated the rock would be purchase for \$1.00 per ton. In negotiations with New Harmony it was his understanding that payment would be "in kind" with work performed by New Harmony in screening, separating, and piling waste dump material. Because New Harmony officials were not present, action was tabled and a special meeting authorized on March 2 on a motion by Dan Webster. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

STATE PUBLIC SAFETY BUILDING DISCUSSION _____ :

Reed Erickson reported that the State Department of Facilities Construction and Management (DFCM) has approached the County to construct a 19,000 sq. ft. building built by the County and leased to the State to house State public safety offices. These would include Highway Patrol, Dispatch, and Adult Probation and Parole. They have suggested a building similar to the one in Washington County. The first step would be to request qualifications for an Architect to design the building.

Dale Brinkerhoff requested more information on what the State is requesting prior to moving forward with this project.

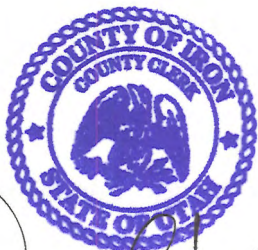
SURPLUS PROPERTY PROGRAM :

Reed Erickson presented background of the disposal of surplus property by Iron County which involves a sealed bid process with advertising on a local or state level. He recommended using an online auction process involving the Public Surplus website which specializes in on line auction of government surplus. He recommended establishing protocol for use of the website, an approval process for items to be disposed, determine how postings are to be made, and establish training for using the website.

The Commission took the proposal under advisement without final action.

ADJOURN :

The meeting was adjourned at 4:40 p. m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman

Attest: David I. Yardley
County Clerk

IRON COUNTY COMMISSION MEETING
March 2, 2011

Minutes of the Iron County Commission meeting convened at 12:00 noon March 2, 2011 in the Iron County Justice Center, Cedar City, Utah.



Officers in attendance

Alma L. Adams A. Smith	Commission Chair
Dale M. Brinkerhoff	Commissioner
Daniel Webster	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Steve Platt	County Engineer
Jaren Scott	Landfill Supervisor
Robert Goodwin	New Harmony Town Council
Ted Kelsey	New Harmony Irrigation Company

SYNOPSIS :

ADJOURN 2
NEW HARMONY INTERLOCAL AGREEMENT 1

NEW HARMONY INTERLOCAL AGREEMENT :

Alma Adams called the meeting to order and explained the purpose of the meeting was to reach an agreement with New Harmony officials regarding the removal of rock from Iron County property located at the Iron County Landfill.

Dan Webster explained that New Harmony had suffered a loss of essential water lines during the Mill Flat fire last year. The Town Council approached Iron County to see if rock was available to cover the replacement pipeline.

Jaren Scott explained that there was a slide area within the landfill that could be removed. Other rock product may be available on overburden dumps within the landfill property.

Michael Edwards explained that the County is required to receive fair value for the material being removed. Mr. Goodwin and Mr. Kelsey agreed that this is proper and agreed to reimburse the County through removal of slide material which will help with landfill life and to provide in kind service to pay for the remainder of the material. The value provided to the County will be determined by the Landfill Supervisor and the County Engineer.

Trucks will be weighed at the Landfill both empty and loaded and weights averaged to determine the amount of material removed. All safety procedures are to be followed in compliance with MSHAW requirements.

Dale Brinkerhoff made a motion to approve the contract and to authorize County signatures. Second by Dan Webster. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; Dan Webster, Aye.

ADJOURN _____ :

The meeting was adjourned at 11:45 a.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; Dan Webster, Aye.



A handwritten signature in blue ink, appearing to read "Alma L. Adams", written over a horizontal line.

Signed: Alma L. Adams, Chairman

A handwritten signature in blue ink, appearing to read "David I. Yardley", written over a horizontal line.

Attest: David I. Yardley
County Clerk

IRON COUNTY COMMISSION MEETING
March 14, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 14, 2011
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

Maria Twitchell	Tourism & Convention Director
Charles Morris	Parks/Recreation/Emergency Management
Jared Wilson	Information Technology
Ronald Johnson	Ambulance

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Wendell Shallenburger.

APPROVAL OF MINUTES February 28, 2011 :

Minutes of the Iron County Commission meeting held February 28, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

APPROVAL OF MINUTES March 2, 2011 :

Minutes of the Iron County Commission meeting held March 2, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Maria Twitchell reported that 2010 was the second best year on record for tourism in Iron County. It was up 15% over 2009 results. This appears due to visitors staying closer to home but still wanting to have a quality vacation.

Maria reported also that Brian Head has experienced some problems this winter with the wind closing lifts and reports of major damage due to power outage and pipes freezing causing extensive damage to rental properties. When winds exceed 40 mph the lifts are closed for safety reason. Skiers then typically return home or leave the area for other destinations.

Charlie Morris reported that Woods Ranch has been the site of Boy Scouts Klondike Derby events this winter. The park had 1,350 Scouts and leaders for events on one weekend which included overnight camping in snow caves.

Vandalism continues to be a major concern at Three Peaks and Woods Ranch. People have cut trees for firewood and one pavilion at Three Peaks had the end torn out and apparently used for fire wood. Graffiti also continues to be a major problem. It is hoped that the VIPS program being instituted in the Sheriff's Department will help with these problems.

Charlie also reported on emergency management issues. He reported that the reverse 911 system worked well in notifying residents in the Enterprise area of potential flood issues. The contract for Reverse 911 is coming up for renewal this year. Costs will be allocated between participating entities based on population.

Jared Wilson explained that the IT budget shows large expenditures for software licensing during the first three months of the year. This will be the total projected costs for the year and this line item will be within budget. He reported on projects the Department is working on including the Assessing (CCI) program scheduled to go on line in July. Currently there is an integration problem between CCI and Tyler Technology. Another area nearing completion is the Emergency Operation Center which should be completed in the near future.

Ron Johnson reported that fee collections for 2011 are ahead of 2010 at this time. There is a concern with the price of fuel for ambulances. For budget purposes, fuel was estimated at \$3.50 per gallon. Current pump price for diesel fuel is near \$4.00. Ron also reported that consideration needs to be given to replacing older ambulances, some with as high as 250,000 miles of active service.

Ron discussed staffing concerns in the Department. One Paramedic is leaving to attend advanced medical training effective April 30th. Another Paramedic is on light duty due to an injury. The one position will be advertised for replacement and the light duty position will need to be covered by overtime shifts from certified Paramedics.

Reed Erickson discussed the use agreement between Cedar City and Iron County

regarding Festival Hall. Currently there are varying rates ranging from no charge to \$385.00 per day. The current agreement states a nominal fee may be charged. Reed will schedule a meeting with Cedar City to work on an updated agreement.

Dan Webster reported that a meeting has been arranged with the Forest Service to discuss opening trails to ATV's which the Forest Service has limited to hiking trails. The trails were constructed with funds collected from ATV owners through license fees etc.

Alma Adams reported that Weber County has requested a representative from Iron County to represent the County at their July 24th pioneer day celebration. Previous representatives included Alma Evans and Donna Mitchell.

Alma reminded the Commission that a public hearing has been scheduled for March 24 at 7:00 p.m. in the Three Peaks Elementary regarding the incorporation of a new municipality proposed as Midvalley Town.

RAP TRAINING :

Colette Eppley presented RAP training for weeks five and six. The training consisted of risk control responsibilities of the employer and employee for week five. Week six training covered defensive driving responsibility. Colette emphasized that all County employees are required to take the defensive driving course during the first year of employment.

ZONE CHANGE REQUEST FROM LIGHT INDUSTRIAL TO R-½ :

A proposed zone change request submitted by Donna Mitchell for property located within the Southeast ¼ of the Northeast ¼ of Section 11, Township 34 South, Range 9 West, SLB&M.

Chad Nay presented a report from the Planning Commission in which a public hearing was conducted. The Planning Commission recommended approval of the proposed zone change. Chad explained that the property was zoned Light Industrial in 1981 at the request of Parowan City as possible expansion of their industrial base. The property has historically been in agricultural use and is contiguous with the requested R ½ zone. The property is also located within an agricultural protection area.

Donna Mitchell requested that four acres of the forty acre parcel be removed from agricultural protection to allow for the construction of a home. The home will be used to help with operation of the farming/ranching operation.

Dale Brinkerhoff made a motion to approve the requested zone change on the following parcel described as the Southeast ¼ of the Northeast ¼ of Section 11, Township 34 South, Range 9 West, SLB&M from Light Industrial to Residential ½ . Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dan Webster made a motion to remove from the Agricultural Protection Area the following described parcel: Beginning at a point in a fence line on the west side of 100 West Road, which point is North 925.07 feet and West 51.38 feet from the East ¼ corner of Section 11, Township 34 South, Range 9 West, SLB&M; thence North 00°01'25" East 400 feet along a fence line and extended along the west side of 100 West Road; thence South 89°25'39" West 437 feet along a fence line and fence line extended on the south side of a lane; thence South

00°01'25" West 400 feet; thence North 89°25'39" East 437 feet to the point of beginning. Containing 4.01 acres M/L. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PROPERTY TAX DEFERRAL ANB VENTURES LLC :

ANB Ventures LLC representative Scott Bleazard presented a request to allow a payment plan on multiple parcels which have 2006 tax delinquencies and are scheduled for the annual tax sale in May. He explained that ANB Ventures LLC received the properties through a bank failure and assignment from FDIC. FDIC failed to provide funding for paying delinquent taxes and therefore ANB has not been able to generate sufficient funds to pay all delinquencies of properties located in eleven states. He also explained that all properties were not currently in ANB's name but were in the foreclosure process. ANB offered to pay \$100,000 immediately and \$80,000 per month until all delinquencies are brought current.

Dan Webster made a motion to deny the request to grant a deferral of payment as it is not in compliance with Iron County Code and standard practice. The motion died for lack of second.

Geri Norwood expressed concern that the decision to enter into an agreement to defer taxes goes against our current policy and ordinance. By developing a special circumstance for this entity, it sets a precedent that all similar situated persons can apply for a tax waiver.

Michael Edwards reviewed the County Code 3.20.050 which allows the Commission to make a discretionary decision that is in the best interest of the County and State.

Alma Adams then made a motion to table action to later in the meeting and authorize Michael Edwards to negotiate an agreement which would guarantee payment monthly or the properties would be deeded to Iron County for any late payment. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Upon recalling the matter, Dale Brinkerhoff made a motion to adopt the agreement specifying a payment schedule with payments totaling a minimum of \$80,000 per month until delinquency is paid in full for all properties scheduled for tax sale in 2011, designating order in which delinquency would be paid, and providing that any late payment would result in ANB Ventures LLC deeding the properties to Iron County. The agreement also provided that an agreement for additional properties which are scheduled for tax sale in 2012 and 2013 will be considered on the September 12 Commission meeting. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

AMEND IRON COUNTY ORDINANCE 185 :

Cindy Bulloch met with the Commission to request an amendment to Iron County Ordinance 185 which established the date to apply for designation of March 1 annually to apply. She requested the date be changed to May 1 to coincide with the closing of the tax roll. She also noted that the code references have changed since the implementation of Ordinance 185.

Dale Brinkerhoff made a motion to approve the proposed amendment and authorized an amended ordinance to be drafted for final approval. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

UPDATE INTER-LOCAL AGREEMENT WITH ENOCH CITY :

A mutual aid agreement between Iron County and Enoch City was presented for approval. A representative from Enoch did not appear. Charlie Morris explained that the mutual aid agreement is preferred to provide emergency services between entities. He recommended approval.

Dale Brinkerhoff made a motion to approve the agreement and authorize the Commission Chair to sign. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PERSONNEL MATTERS :

Colette Eppley presented a request to rehire Adam Beston as a prairie dog technician (Animal Control) as a seasonal worker. She also requested that an additional position be posted for applicants to fill the second position. A request for a pay increase for Adam was also discussed. Reed Erickson reported on the need for better time accounting by DWR and the County employees managed by DWR. Dale Brinkerhoff made a motion to table action on the requests until the next meeting. Second by Dan Webster. Voting: Alma Adams, Nay; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a request to approve Lorraine Kurtz as a Meals on Wheels volunteer in the Senior Citizen program. Dale Brinkerhoff made a motion to approve Lorraine Kurtz as a volunteer. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A promotion for Tyler Romeril was recalled for action after reviewing budget concerns. The Commission approved amending the Attorney budget to add funds to cover promotion wages and benefits and to approve the promotion of Tyler effective February 20, 2011 on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a position justification and workforce assessment for approval for a part time receptionist at the Visitor Center. The current part time employee has submitted a letter of resignation. Dale Brinkerhoff made a motion to approve the workforce assessment and authorize advertising for a replacement part time employee.

CLOSED SESSION :

Dale Brinkerhoff made a motion to convene in closed session 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. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

After reconvening in open session the following personnel action was taken:

Dale Brinkerhoff made a motion to implement a reduction in force (RIF) in the Building Inspection Department with the approved termination of Adam Richins effective immediately and the reassignment of Jim Hignite as a Maintenance Specialist for County buildings. Supervision is to remain with Chad Nay as the Building Inspection Supervisor. Funding of the

Maintenance Specialist position will be through the building maintenance budget. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REQUEST TO WAIVE ROLLBACK FEES :

Cedar City representative, Kit Wareham, requested that the County waive a roll back tax on property account # 490366, serial # B-1840-00RD-0000 which was deeded to the City to provide access to a subdivision. The road is not fenced and is used in conjunction with surrounding property as agricultural use.

The Assessor, explained the procedure in triggering a roll back tax. This includes a transfer of title or use and the failure to apply for greenbelt upon change of use or ownership. The Commission questioned if Cedar City was currently using the property for an agricultural use or if a lease agreement existed with adjacent property owners for use in their agricultural operations. Mr. Wareham answered in the negative.

Dan Webster made a motion to deny the request to waive rollback assessments. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

SNOWCAT LEASE FUNDING :

Mark Gower, Iron County Sheriff met with the Commission to request final approval to lease/purchase a snowcat for use by Search and Rescue. He again stated that by leasing with a purchase option at the end, annual grant funds would be available to help with lease payments. The Commission questioned whether the Sheriff Department could fund the lease under their current budget by reducing over time hours. The Sheriff was hesitant to make such a commitment and recommended the Commission adjust the Sheriff budget by adding \$26,000.

Dan Webster made a motion to approve the lease/purchase of a snowcat and to apply for State grant funds to help with payments. Funds are to be committed from existing current budget for overtime within the Sheriff's Department. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

SAFETY SOLUTIONS COALITION INTRODUCTION AND REPORT:

Helen Rosso, Safety Solutions Coalition, and three members of the Coalition, Sarah Kunzler, Tate Womack and Samantha Kunzler, met with the Commission to explain the purpose of Safety Solutions which is " dedicated to the support and success of our community's young men and women. Our goal is to empower them now with the tools, skills, and habits to help them make positive contributions to our community today, and in the communities they will create and inhabit in the future."

The Commission thanked the youth involved in the program and complimented them on their commitment to the goals of the organization as presented.

BOARD OF EQUALIZATION :

Christene Lowder presented a request to approve or deny annual statements for continued property tax exemptions and to approve eligible new applications for property tax exemption which were received by March 1, 2011 filing deadline.

Christene recommended that the request filed by Advance Athletics new application

because records do not indicate they own the property they are requesting an exemption. She also reported that several entities failed to file a timely request for continued exemption. These included Ashdown Forest Ward for a Boy Scout trailer; Christ the King Catholic Church; Festival City Development Foundation; Franklin-Albert Pike Lodge F & AM; Southwest Wildlife Foundation; Westview Christian Center; and Gateway Preparatory Academy.

Dale Brinkerhoff made a motion to approve the requested exemptions for religious, charitable and educational exemptions except for Advance Athletics. Advance Athletics is denied due to ownership questions. The motion also includes authorization to extend the filing deadline one week for listed delinquent filing groups. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS :

Wendell Shallenburger reported that he has talked to Senator Stowell, former County Commissioner, and that the Senator made it through the Legislative session with the health problems he is experiencing. Senator Stowell will be traveling to California within the next few weeks to continue treatments for cancer.

PRAIRIE DOG MATTERS :

Reed Erickson reported that Cardno Entrix is seeking direction on how to proceed with the submission and approval of the Prairie Dog HCP. US Fish and Wildlife seems to be stonewalling efforts to move the process forward. It has been suggested that the documents be prepared to submit for final approval.

Reed also noted that the State of Utah has allocated funds to study the DNA makeup of the Utah Prairie Dog and other non listed white tailed prairie dogs located in Utah. This is an effort to determine if the Utah Prairie Dog is a distinct species or just an isolated group of a larger population.

CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

COUNTY BOARD APPOINTMENTS DISCUSSION AND ACTION :

Accident Review Board and Safety Committee: Colette Eppley suggested that these two boards should be combined by adding additional representatives on the Accident Review Board and eliminating the Safety Committee. Dan Webster made a motion to combine the two boards as recommended. Additional names will be submitted for appointment to the Accident Review Board. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Career Service Council: Dan Webster made a motion to appoint Larry Brough to replace Wayne Clark as a member of the Career Service Council. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Special Service District # 3: Dan Webster made a motion to appoint Brandon Hunter to the Special Service District # 3 Board for a four year term. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Tax Appeal Board: Dale Brinkerhoff made a motion to reappoint Brent Hunter and Wendy Bonzo to an additional term on the Tax Appeal Board. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.


Travel Advisory Board: Dan Webster made a motion to reappoint Steve Robinson, Kathy Johnson and Nan Johnson to an additional term on the Travel Advisory Board. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Central Iron County Water Conservancy District Board: Dale Brinkerhoff made a motion to appoint Tim Watson to the Central Iron County Water Conservancy District Board to fill the unexpired term of Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

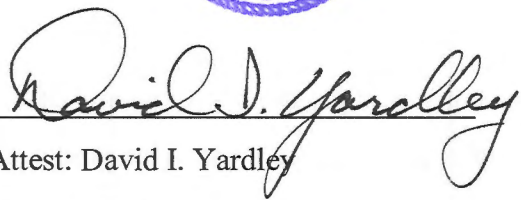
ADJOURN _____ :

The meeting was adjourned at 3:00 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.





Signed: Alma L. Adams, Chairman


Attest: David I. Yardley
County Clerk

IRON COUNTY COMMISSION PUBLIC HEARING
March 24, 2011

Minutes of the Iron County Commission public hearing convened at 7:00 p.m. March 24, 2011 in the multi purpose room of the Three Peaks Elementary School, Cedar City, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator
Chad Nay	Zoning Administrator

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Dan Webster.

PUBLIC HEARING RE INCORPORATION OF MIDVALLEY TOWN :

Commissioner Adams opened the public hearing by explaining the purpose and procedure for conducting the meeting. A petition was filed by the required number of people to initiate the process of incorporating as a town as outlined in the Utah State Code.

Michael Edwards reviewed the Utah Code Section 10-2-125 and outlined procedure after an application is received. A public hearing is required as is being held tonight. Notice of the public hearing has been published in the Spectrum/Daily News and posted on the State of Utah Public Notice website. It has also been posted on poles within the proposed incorporation area. The purpose of the meeting is to introduce the concept of the proposed incorporation to the public; allow the public to review the map of the boundary of the proposed town; and to allow the public to express their views about the proposed incorporation, including their views about the boundary of the area proposed to be incorporated.

Mr. Edwards pointed out that maps of the proposed municipal boundaries were posted on the walls on each end of the multi purpose room.

Matthew Carling, one of the petitioners, then explained the concept of a town being self governed. He explained a "Township" and a proposed "District" plan that would divide the new town into five districts which would each have a representative on the Town Council. The town would rely on volunteer workers to perform most duties which will help reduce budgets and will still provide neighborhood services such as snow plowing etc on side streets. Main road maintenance would be contracted with either Iron County or Enoch. Mr. Carling continued that the fundamental purpose is to preserve the rural community and lifestyle, and to prevent suburbanization of their current way of life.

Seth Ohms, a petitioner, reviewed a draft plan which was distributed which included

such items as self government, limited government, responsible leadership, reduced taxation, fiscal restraint, development, roads, water and sewer, police, fire, ems, business, and neighborhood working groups.

The public hearing was then opened for comments from the citizens.

John Sturven questioned what the source was for the proposed budget numbers. The petitioners stated that they were from anticipated road funds, sales tax revenue and property tax revenue for the area.

Marilyn Vaughn commented that in her opinion taxes would not go down and that the new town could not provide additional road maintenance at less cost.

Diane Molinar stated she had a problem with the notice not being mailed to every resident. She was also concerned with the level of public services which would be provided and how bond issues would be paid under the proposed tax system.

Vince Howard expressed concern with the notice as it was published and posted that it did not reach all of the residents.

Holly Porter stated that she is concerned with prairie dog issues and how the proposed town would deal with this issue. She also stated a concern with providing the level of services currently provided by the County. She also noted that she is not opposed of further discussion and study of the issues involved in incorporating as a town.

Sarah Woolf stated she was opposed to incorporating as a town. She said that the proposed town would be under funded and that debt would accrue that would need to be paid by special assessments at a later date. She is concerned with the process as has been presented at this time.

Larry Gardner commented that as a non resident, living within Enoch City, that it was an encroachment on his property rights to develop investment property he is currently farming. At some point he would anticipate selling the property to provide retirement income to he and his family. He explained that he would not be allowed to vote on incorporation since he does not live within the boundaries of the proposed town.

Roy Quanta stated that even by incorporating, the town could not stop future development. As the economy improves there will be additional pressure to develop in rural areas. The only way to limit development is to purchase development rights which is not proposed by the town.

Joel Stoddard stated that their proposal sounded like the petitioners had good intentions but that citizens were being asked to buy a "pig in a poke". The process is flawed and not enough research as gone into the feasibility study to this point to allow for a reasonable decision. He encouraged people not to support the proposal.

Dennis Porter stated that if costs can be reduced as explained then why are the citizens not working with the County to reduce costs in their areas. He also stated that Cedar City and Enoch will continue to expand and will eventually put pressure on the area. He stated that he is satisfied with the level of services currently provided by the County.

Tiffany Thomson stated that by incorporating that growth would not be curtailed. The area will continue to grow and expand as the housing market rebounds and people again want to build in a rural area.

Robert Hatch also commented that growth is inevitable and that the current level of service could not be maintained with the current tax rate being cut in half as proposed. Equipment and supply costs continue to escalate and any contractor will require a return on their investment. They will not be willing to provide services for no cost.

Clyde Bulkey stated that he would like to make a motion to end the proposal to incorporate as a town. There are too many unknowns and there is little support. He is happy with the current services provided by the County.

Burke DeGross commented that his experience with similar proposals in other Counties show that these very small municipalities do not work. He explained that he previously lived in an area in Utah County where several townships were formed. Within two or three years all but one had been disbanded leaving unpaid debts to be paid back by taxpayers through special assessments. He encouraged additional homework to study the feasibility of such a venture.

Cherie Hatch commented that she is pleased with the current services provided by the County and that it would be better to remain unincorporated and work within the current system.

Amanda Matheson commented that she liked the idea of a small, volunteer government. As people grasp the idea, they will be willing to work together to better all of the area for the mutual benefit of all. It is the purpose of the petitioners to keep the rural feel of the area as it currently is. She encouraged participants to give the idea some time to develop and to study the proposal before throwing the whole idea out.

Matthew Carling commented that by following the principals outlined, all town residents would have greater input on the future of the area including taxes, development, and growth. All of these areas will be under local jurisdiction rather than a larger County which has different interests in the local area.

William Eames commented that taxes would increase rather than decrease due to the smaller tax base to draw for the level of services currently provided.

Carol Ohms asked people to give it a chance, at least study the proposal before it is outright rejected.

Stacy Bulkey commented that there is no way taxes will go down. By incorporating as explained there are no benefits and only negatives. It is not in the best interest of the area to incorporate.

Bob Beacham proponents do not understand how deep pockets need to be to support a municipal government. The proposed budget cannot support services currently provided on the tax revenue from one hundred houses.

An audience question was asked. Where did budget figures as presented come from? Gaylen Matheson responded that they were based on current tax rates for the County including the Municipal Service Tax (MST) and through the Utah State Tax Commission regarding the fuel

tax the town to which the town would be entitled based on current miles of streets and roads. He estimated that the current MST could be cut by half in the proposed town.

Audience question: How was road tax rate figured. In talks with UDOT personnel it was figured that the proposed town would receive \$37,000 annually, not the \$51,000 in the proposed budget?

Answer: The figures were received from the State and the committee stands by the \$51,000 figure.

Audience Question: What about police service?

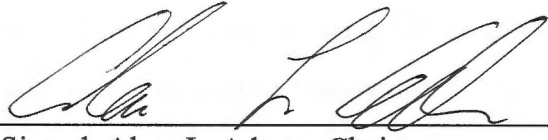
Answer: It is proposed to contract for services with the Iron County Sheriff similar to the way law enforcement is provided to Kanarrville and Paragonah.

Audience Question: How can municipal service costs be reduced?

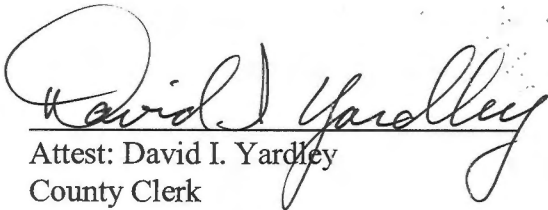
Answer: Reduce services.

ADJOURN _____ :

The meeting was adjourned at 9:15 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



**IRON COUNTY COMMISSION MEETING
March 28, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 28, 2011
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

Jaren Scott	Landfill Supervisor
Stephen Platt	Engineer
Neil Forsyth	Road Supervisor
Chad Nay	Zoning Administrator/Building Inspector

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Neil Forsyth.

APPROVAL OF MINUTES March 14, 2011 :

Minutes of the Iron County Commission meeting held March 14, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Jaren Scott reported that the waste stream at the landfill is down from previous years, especially in the class C & D pit. Volume in the C & D pit was listed at 5,778 tons in 2010

compared to 10,898 tons in 2008. This shows the effect of the economy on construction projects.

Jaren also reported that their current budget is in line with projections. One area of concern is fuel prices which are higher than normal and it appears that they will rise during the next few months.

Chad Nay reported on changes in the Building Inspector's office including a RIF and a transfer of duties of another building inspector. He also reported on results of the investigation of complaints of Harker Dairy directing corral waste into the road right of way instead of handling the waste within the dairy property. He stated that it appears the problem was created from flooding from Shoal Creek during the winter. Neil Forsyth, Road Supervisor, stated that this is not an isolated incident and that it has been an ongoing problem for several years. Chad stated he would continue to investigate further and would coordinate inspection efforts with the Department of Environmental Quality.

Steve Platt reported on projects being conducted by the Engineer's office. The 5700 West road project is nearing completion of the acquisition of right of way. There are now two parcels remaining that need to be obtained. They are also working on acquiring right of way from SR 56 north on the 5700 route. Survey work and appraisals are being prepared to designate the route and to determine the additional right of way to be purchased.

Neil Forsyth reported on current road projects. The Road Department has been working in the Beryl area upgrading several problem areas with additional road base. He also reported on flood issues including the Silver Mine road, Hunting road and Modena Canyon road which received damage during the December floods. Fuel prices continue to be a concern with the additional costs which were not anticipated in the budget. This could affect some projects later in the year.

RAP TRAINING :

David Yardley presented RAP training for weeks 7 and 8 which consisted of training on slip, trip, and fall accidents and in keeping work areas clean.

CONDITIONAL USE PERMITS :

Chad Nay, Iron County Building Official and Zoning Administrator presented notification of two proposed conditional use permits which are scheduled to be considered by the Planning Commission at their next meeting.

The first is for a guest house request by Albert and Carolyn Frank on property owner listed as William Felker. The property is located at 992 S 4575 West, Cedar City. Lot 24, Blk 10 Meadows Ranch East, Property Account # 293081, Serial #E-0209-0001-0010-24.

The second is for a kennel request by John & Gretchen Ruiz for property owned by Christopher John Bevan, at 977 W 400 N, Kanarraville, Sec 33, T37S, Range 12 W, Property Account # 297280, Serial #E-0323-0007-0000.

No action was required by the Commission at this time.

PUBLIC HEARING ORDINANCE 2011-2 RESOURCE MANAGEMENT PLAN :

A public hearing was opened to receive public comments regarding a proposed ordinance

on a motion by Dan Webster. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Michael Worthen presented and explained the purpose of Ordinance 2011-2 which proposes to adopt a specific Resource Management Plan for proposed wilderness regions into the General Plan of Iron County. This is at the request of the Commission to memorialize work done in developing a County wide resource management plan. The Planning Commission has reviewed the proposed ordinance and have recommended approval by the Commission.

Dan Webster commented that item 4 e be amended by changing the word “may” to “shall” in keeping road open to off road vehicles.

Blaine Nay commented that historic road which have been administratively closed should be required to be reopened to public access.

Todd Stowell noted that there are technical changes including spelling and punctuation that need to be included in corrections.

After all public comments were received, Dale Brinkerhoff made a motion to close the public hearing. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dan Webster made a motion to adopt Ordinance 2011-2 with the amendment in section 4 e and to make technical changes as noted and upon a favorable recommendation from the Planning Commission. Second by Dale Brinkerhoff.

IRON COUNTY ORDINANCE NO. 2011-2

AN ORDINANCE OF THE BOARD OF IRON COUNTY COMMISSIONERS, TO ADOPT A SPECIFIC RESOURCE MANAGEMENT PLAN FOR PROPOSED WILDERNESS REGIONS INTO THE GENERAL PLAN OF IRON COUNTY, UTAH (THE “GENERAL PLAN”), REPEALING CONFLICTING ORDINANCES, AND PROVIDING 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 maintaining a General Plan that specifies local goals and policies relating to land use, housing, environment, transportation, natural resources, and public facilities and services;

WHEREAS, on December 22, 2010, the Secretary of the Interior issued Order No. 3310, directing the Bureau of Land Management to inventory all lands with “wilderness characteristics”, designate those lands as “wild lands”, and proceed to effectively manage those lands as “wilderness”;

WHEREAS, the Iron County General plan, adopted October 10, 1995, and amended by Ordinance 205 on May 9, 2005, could benefit from additional clarifying language pertaining to

management of the natural resources in the county, and how such relates to Order No. 3310 and several proposals for additional wilderness areas by certain environmental groups;

WHEREAS, on January 24, 2011, the Board of Iron County Commissioners adopted Resolution 2011-3, directing the County to develop a resource-specific plan regarding the proposed wilderness areas, to become an appendix to the Iron County Resource Management Plan and adopted into the General Plan by amendment;

WHEREAS, on March 3, 2011, the Iron County Planning Commission held a duly advertised and noticed public hearing on the draft resource specific plan, known as the "Iron County Proposed Wilderness Regions Interim Resource Management Plan";

WHEREAS, the Planning Commission considered public comments, the language of the draft plan, the staff report with attachments, and the criteria of Iron County Code 17.12.030;

WHEREAS, the Planning Commission unanimously decided to recommend adoption of the findings of the staff report and approval of the "Iron County Proposed Wilderness Regions Interim Resource Management Plan" as part of the General Plan;

WHEREAS, the Iron County Commission held a duly advertised and noticed public hearing on the proposed general plan amendment on March 28, 2011;

WHEREAS, the Iron County Commission finds that the criteria of Section 17.12.030 Iron County Code, pertaining to amendments to the general plan, have been properly considered, and concludes that adoption of the resource-specific management plan, with the noted corrections, is warranted;

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

SECTION 1. The document "Iron County Proposed Wilderness Regions Interim Resource Management Plan", as attached hereto, is hereby adopted as part of the Iron County General Plan.

SECTION 2. SEVERABILITY.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

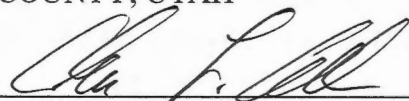
SECTION 3. REPEAL OF CONFLICTING ORDINANCES.

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.

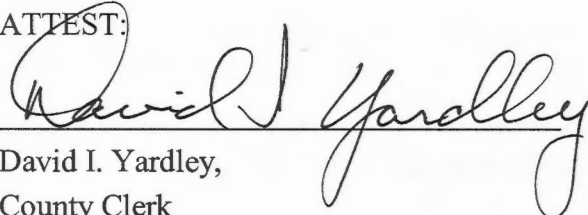
EFFECTIVE DATE: This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208.

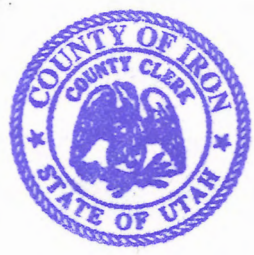
PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 28th day of March, 2011.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Alma L. Adams, Chair

ATTEST:


David I. Yardley,
County Clerk



VOTING:

Alma L. Adams Aye
Dale Brinkerhoff Aye
Dan Webster Aye

PUBLIC HEARING ORDINANCE 2011-3 DEFINITION OF "RESORT LODGE" :

Dan Webster made a motion to open a public hearing to receive comments about proposed ordinance 2011-3 amending the Iron County Zoning Ordinance. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Todd Stowell presented information regarding a request from an individual to amend a definition of a "Resort Lodge" to include parking of motor homes and the use of the facility to host receptions and similar activities. The Planning Commission has recommended approval on a split vote.

David Yardley commented that this could be construed as a "spot zone" to allow a commercial use in an agricultural zone without going through an appropriate review by the Planning Commission. He also pointed out that it has not been the practice of the County to amend the Zoning Ordinance to fit a single incident that could be addressed in a conditional use permit.

Chad Nay expressed concern that by adding the definition as proposed, the conditional use permit process would be abridged because it would allow the use as defined. By keeping as a condition, each application would receive scrutiny by the Planning Commission.

After all comments were received Dan Webster made a motion to close the public hearing. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dale Brinkerhoff made a motion to adopt Ordinance 2011-3 as recommended by the Planning Commission. Second by Dan Webster.

**IRON COUNTY
ORDINANCE NO. 2011-3**

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING THE DEFINITION OF "RESORT LODGE" IN THE COUNTY ZONING ORDINANCE, REPEALING CONFLICTING ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County received an application from a private property owner to amend the definition of "Resort lodge" in the Iron County zoning ordinance;

WHEREAS, the Iron County Planning Commission held a duly advertised and noticed public hearing on March 3, 2011, to consider the application;

WHEREAS, the Iron County Planning Commission considered the criteria of Iron County Code 17.12.060, and the recommended findings of the staff report, and decided on a 4-2 vote to adopt the findings of the staff report and recommend approval of the proposed amendment;

WHEREAS, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed amendment;

WHEREAS, the Iron County Commission finds that the criteria of Section 17.12.060 Iron County Code, pertaining to amendments to land use regulations, have been properly considered, and concludes that adoption of the amendment is appropriate;

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

SECTION 1. The definition of "Resort lodge" as found in Iron County Code 17.20.010, is hereby amended to read as follows:

"Resort lodge" means a facility, including a single building and/or resort cabins, which serves as a destination point for visitors and generally has accessory recreational facilities for the use of guests. Guest residency is limited to not more than ninety days. Resort lodges may be approved for the following accessory uses through the conditional-use-permit process:

- (1) Use of the resort facilities for "reception hall/center" events; and
- (2) Up to eight R.V. spaces, subject to the 90-day occupancy limit.

SECTION 2. SEVERABILITY.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES.

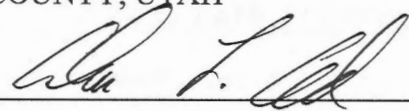
To the extent that any ordinances, resolutions or policies of Iron County conflict with the provisions of this ordinance, they are hereby amended to comply with the provisions hereof.

EFFECTIVE DATE: This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 28th day of March, 2011.

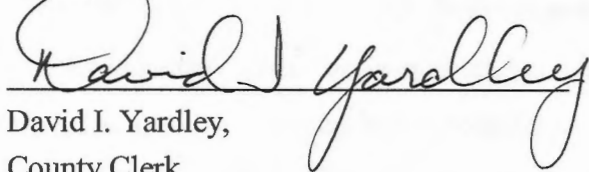
BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____



Alma L. Adams, Chair

ATTEST:



David I. Yardley,
County Clerk



VOTING:

Alma L. Adams Aye

Dale Brinkerhoff Aye

Dan Webster Aye

BOARD OF EQUALIZATION _____ :

Dan Webster made a motion to convene as a Board of Equalization to consider approval of late filed exemption requests. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Christene Lowder met with the Board of Equalization to review and accept or deny annual statements for continued property tax exemptions which were held over pending further review or were late and given an extension to apply.

Dale Brinkerhoff made a motion to deny tax exemption for Advance Athletics and Ashdown Forest Ward Boy Scout Trailer and to approve all other late filed applications. Also to deny three pending Dixie and Anne Leavitt Foundation requests for 2010 tax exemptions as they are not exclusively used for charitable purposes. Additional applications are to be tabled to allow additional information from the Foundation's attorney. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The Board of Equalization was adjourned and Commission meeting reconvened on a motion by Dan Webster. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

FAIR GROUND IMPROVEMENT REQUEST _____ :

Joyce Evans met with the Commission to discuss improvements at the Fairgrounds in Parowan. She explained a problem with an overhead power line which presents a danger in expanding the bleachers. She also reported on power upgrades that need to be completed to provide adequate electrical service to speakers and computers used during fair events. Another

proposed improvement would be to move the rodeo bucking chutes.

After reviewing proposed changes Alma Adams made a motion to approve the purchase of fifty feet of bleachers and to authorize Parowan City to bury the overhead power line with associated electrical boxes, conduit etc. Also to start the process to relocate the bucking chutes to the north side of the arena and to upgrade bucking chutes to PRCA standards. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PERSONNEL MATTERS :

Vicky Nielsen presented for approval two volunteers at the animal shelter. Erin Bratlien and Dan Venables have volunteered to care for animal at the shelter. Dale Brinkerhoff made a motion to approve the volunteers at the animal shelter as requested. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicky presented a position justification for a Paramedic Supervisor in the Ambulance Department to replace a current employee that will be leaving to attend school.

Vicky also presented a position justification for a seasonal animal control person to work with prairie dogs. This is an annual renewal. Dan Webster made a motion to approve the two position justifications as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicky presented for approval Adam Beston as a seasonal prairie dog technician. Mr. Beston worked last summer in the same position. Dale Brinkerhoff made a motion to approve the hiring of Mr. Beston and to authorize advertising for the second technician. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicky presented a request for a new hire approval Michael Bulloch to replace David Iman as a Correction Officer. Dan Webster made a motion to approve the hiring of Michael Bulloch. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicky presented a request from the Sheriff's office to rotate Nate Houchen to a temporary Detective position. This is not a new position and is rotated on a regular basis. Dan Webster made a motion to approve the rotation to temporary Detective for Nate Houchen effective this pay period. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC DEFENDER CONTRACT JUVENILE :

A contract to provide Public Defender service to the Juvenile Court and to provide conflict case coverage between Iron County and Attorney Bryan Jackson was presented for approval. Dan Webster made a motion to approve the contract as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

OPENING OF ROAD ASPHALT BIDS :

Bids were opened as advertised for the purchase of asphalt material for road projects during the 2011 season. Bids were read aloud and a motion by Dale Brinkerhoff to submit the bids to the Road Supervisor, Neil Forsyth, and Commissioner Adams to determine the lowest

bid. Commissioner Adams was authorized to accept the lowest responsible bid for delivery of each different type material as specified. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

APPROVAL OF GENPAK. LLC EXPANSION INCENTIVE AGREEMENT:

Brennan Wood, Economic Development Director, presented a proposed agreement with GenPac for an expansion project in Cedar City. He explained that South Carolina has submitted an incentive package greater than Utah and lasting ten years. The State of Utah, Cedar City and the School District have agreed to amend the proposed incentive to a ten year agreement. Dale Brinkerhoff made a motion to approve offering a ten year 100% tax incentive to GenPac to expand their facility in Cedar City. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

CALENDER SCHEDULE COORDINATION _____ :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

COUNTY BOARD APPOINTMENTS _____ :

Safety and Accident Review Board: Dale Brinkerhoff made a motion to expand the existing Accident Review Board by adding Kyle Adams, Assessor's Office; Jaren Scott, Landfill; Michelle Madson, Justice Court; Reed Erickson, Administrator; and Dan Webster, Commission. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Council on Aging: Dan Webster made a motion to reappoint Hazel Jean Robinson, Gene Graham, and Peggy Hale to an additional term on the Council on Aging. Terms to expire February 2014. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Recommendations were made for replacements on the Planning Commission and the Tax Appeal Boards. Individuals will be contacted to determine if they are willing to serve before appointments are made.

ORDINANCE 2011-1, AMENDING ORDINANCE 185 - :

An amendment to Ordinance 185 designated as Ordinance 2011-1 was presented as recommended in the previous meeting. The amendments included changing Utah Code references to current Code sections and to change the date from March 1 to May 1 when applications can be accepted by the Assessor's office to designate a primary residence. Dale Brinkerhoff made a motion to adopt Ordinance 2011-1 as presented. Second by Dan Webster.

IRON COUNTY

ORDINANCE 2011-1

AN ORDINANCE OF IRON COUNTY, UTAH AMENDING IRON COUNTY, UTAH ORDINANCE 185, ESTABLISHING PROCEDURES TO OBTAIN AN EXEMPTION FOR PRIMARY RESIDENTIAL PROPERTY WITHIN IRON COUNTY, UTAH, REPEALING CONFLICTING ORDINANCES, AND

PROVIDING AN EFFECTIVE DATE.

IT IS HEREBY ORDAINED BY THE COUNTY COMMISSION OF IRON COUNTY, UTAH:

SECTION I. County Code Amendment

Section 3.18. of the Iron County Code of Ordinances, 1994, is hereby amended to read as follows:

3.18.010 Authority and purpose.

The Utah Constitution, article XIII, sec. 2(8) and Utah Code Annotated § 59-2-102(31) and 103(2) (2010) provides that a residential exemption from property tax of forty-five percent is available for "primary residences," and the Utah Legislature enacted Utah Code Annotated § 59-2-103.5 (2010) establishing procedures to obtain an exemption for residential property and authorizing the county legislative body to adopt an ordinance for the allowance of a residential exemption for residential property.

3.18.020 Procedure.

A. All owners of residential property as defined in Utah Code Annotated § 59-2-102(31) (2010) shall submit an application to the County Board of Equalization for exemption from property taxes for residential property used as a primary residence no later than May 1 of the current tax year. The application shall include the following information:

- a. property parcel number and location address;
- b. name of the applicant;
- c. basis of the applicant's knowledge of the use of the property;
- d. description of the use of the property;
- e. evidence of domicile of the inhabitant(s) of the property;
- f. signature of all owners of the property and a certification that the property is residential property.

B. In the event that an application is not timely filed, an exemption may be granted by the Board of Equalization on an individual appeal basis for the current tax year only. Applications for exemption shall be accepted for the current year only.

C. Except for those properties receiving a partial residential exemption, which are required to file an application each year, the County Board of Equalization may require an owner of the residential property to file the application described in 3.69.020 (A) only if:

- a. that residential property was ineligible for the residential exemption authorized under Utah Code Annotated § 59-2-103 during the calendar year immediately preceding the calendar year for which the owner is seeking to claim the residential exemption for that residential property; or
- b. the ownership interest in the property changes; or
- c. the County Board of Equalization determines that there is reason to believe that the property no longer qualifies for the residential exemption in accordance with

D. The County Board of Equalization or Assessor may request or collect information sufficient to verify the primary residence status and make the determination if the property is entitled to the residential exemption.

E. If an applicant requests a property to be designated as a primary residence, the residential exemption shall not be granted without clear and convincing evidence that the property serves as the primary residence. The burden of proof shall remain at all times with the applicant.

3.18.030 Criteria.

A. A primary residence means the location where a domicile has been established.

“Domicile” means the place where an individual has a true, fixed, permanent home and a principal establishment, and to which place he has (whenever he is absent) the intention of returning. It is the place in which a person has voluntarily fixed the habitation of himself and family, not for a mere special or temporary purpose, but with the present intention of making a permanent home. After domicile has been established, two things are necessary to create a new domicile; first, an abandonment of the old domicile; and second, the intention and establishment of a new domicile. The mere intention to abandon a domicile, once established, is not of itself sufficient to create a new domicile; for before a person can be said to have changed his domicile, a new domicile must be shown. Factors or objective evidence determinative of domicile are set forth in Utah Administrative Code, Rule R884-24P-52.

B. To qualify for the residential exemption, a property need not be owner occupied. Apartments and other rental housing used as a primary residence of the occupant(s) qualify for the residential exemption in accordance with Section 3.69.020 above. A primary residence does not include property used for transient residential use, or condominiums used in rental pools. In addition to other evidence of domicile, only the primary residence which is occupied more than six months out of the year qualifies for the residential exemption. The residential exemption is limited to up to one acre of land per residential dwelling unit on a single property description.

C. A partial exemption may be applied against the property taxes of mixed commercial and residential property but it is presumed that the entire property is commercial. This presumption may be rebutted by the filing of the application referred to in Section 3.69.020 (A) every year, which includes evidence of domicile of each qualifying resident. The Assessor may require additional information as necessary to make a determination of the percentage of the property qualifying for the residential exemption.

D. A partial exemption may be applied against the property taxes of qualifying nursing homes. In addition to the information required in Section 3.69.020 (A), the affidavit, which must be filed every year, shall include the number of residents living at the facility and the number that have established their primary residence at the facility; the total square footage of the facility and the total non-residential square footage. The Assessor may require additional information as necessary in order to determine the percentage of

eligibility of the property for the exemption.

3.18.040 Grandfather provision.

As of the effective date of this Ordinance, owner occupied residential property, apartments and other rental property being used as the primary residence of the occupants, where the property is currently listed by the County Assessor as having a residential exemption shall not be required to file an application to continue its status. Owner occupied residential property, apartments and other rental property being used as the primary residence of the occupants where the property is subsequently listed by the County Assessor as having a residential exemption constructed after the effective date of this Ordinance, shall not be required to file the application required by 3.69.020 (A). However, should use change from primary residence, the property shall no longer be considered exempt and an application under the provision of this Ordinance shall be required.

3.18.050 Conflict.

In the event of any conflict between this Ordinance and State or Federal law, the provisions of the latter shall be controlling.

3.18.060 Incorporation provision.

This Ordinance shall incorporate the provisions of Utah Administrative Code Rule 884-24P-52, Criteria for Determining Primary Residence pursuant to Utah Code Annotated § 59-2-102 and 59-2-103; and, Property Tax Standard 2.13 Primary Residential Exemption.

3.18.070 Savings clause.

In the event one or more of the provisions of this Ordinance shall, for any reason, be held to be unenforceable or invalid in any respect under any applicable laws, such as enforceability or invalidity shall not affect any other provision; and in such an event, this Ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.

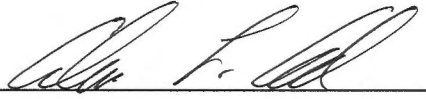
SECTION II. Repeal of Conflicting Ordinances:

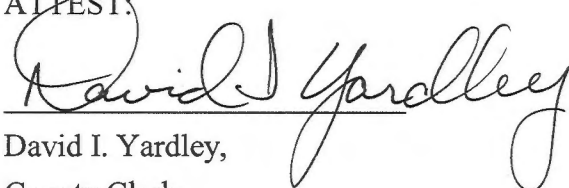
To the extent that any ordinances, resolutions or policies of Iron County conflict with the provisions of this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION III. This Ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208..

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF
IRON COUNTY, UTAH this 28th day of March, 2011.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Alma L. Adams, Chairman

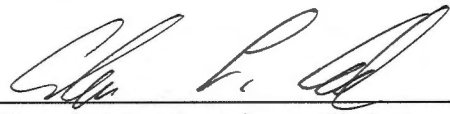
ATTEST:

David I. Yardley,
County Clerk

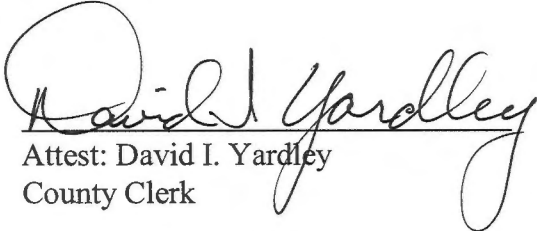


VOTING:
Alma L. Adams Aye
Dale Brinkerhoff Aye
Dan Webster Aye

ADJOURN _____ :

The meeting was adjourned at 3:00 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.


Signed: Alma L. Adams, Chairman


Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
April 11, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 11, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

SYNOPSIS :

APPROVAL OF MINUTES March 28, 2011	1
BID OPENING MOTOR GRADER	4
BOARD OF EQUALIZATION	3
COOPERATIVE LAW ENFORCEMENT AGREEMENT WITH FOREST SERVICE	6
DISCUSSION OF NEW STATE OFFICE BUILDING	4
DRAFT OF FEE SCHEDULE POLICY FOR DOCUMENTS	5
PERSONNEL MATTERS	3
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PROCLAMATION NATIONAL PARKINSON DISEASE AWARENESS MONTH	4
PUBLIC COMMENTS	4
RAP TRAINING	2
REPORTS	1
TAX MATTER	2
VEHICLE POLICY DISCUSSION	3

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Dan Webster.

APPROVAL OF MINUTES March 28, 2011 :

Minutes of the Iron County Commission meeting held March 28, 2011 were approved on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Reed Erickson reported that he and Commissioner Adams attended a Permanent Community Impact Board (CIB) meeting to request funding of the Southern Utah Museum of Art project. Iron County has been awarded a one million dollar loan at four percent interest. Funding approval will be completed at the CIB meeting in June.

Reed also discussed a request by Martha Bayer to again look at their road problem. There are two property owners that are unwilling to give right of way on a private road that would allow the road to be dedicated to the County and improved through a special assessment area.

The Commission determined that it is not practical to improve the road without all of the property owners agreeing to the right of way and assessment area.

Dan Webster discussed flooding issues in the Kanarraville and Cedar Valley areas. Most of the flood channels have been cleaned and are ready for anticipated high water run off. The Kanarraville area farmers are concerned that some property owners have diverted high water that typically flowed into the Cedar Valley drainage to now go into the Ash Creek/Virgin River drainage.

Dale Brinkerhoff reported that Kal Kahler and Blair Maxfield have requested to act as a liaison and unpaid consultants with the Water Conservancy District and they will submit written comments from time to time. The Commission agreed to recognize their actions and to voice thanks for the work they have contributed in the past.

Dale also discussed the SUMA project for which funding has been secured. He expressed his displeasure with the proposed design stating there were problems with ceiling heights and the design is not in character with the Jim Jones art theme. His feelings have been expressed to SUU President Benson. Reed Erickson was requested to draft a letter to SUU expressing the Commission concerns.

Alma Adams reported on a planned field trip with Attorney's and other officials involved in the RS 2477 issue in Iron County. The tour is scheduled for May 2nd and 3rd.

Alma also discussed the prairie dog translocation program. DWR has stated in the past that they do not have personnel available to efficiently manage this program. DWR officials have stated that local residents could be trained and receive dedicated hunter hours to help with this program.

RAP TRAINING :

Colette Eppley presented RAP training for weeks 9 and 10 which included lifting and material handling procedures and slip, trip, and fall prevention training.

TAX MATTER :

Jeff Morrell Olson Property Owner as a joint tenant with Steven Morrell came before the Commission to request additional time in which to pay delinquent property tax on property located at 60 S 100 West, Kanarraville, and identified as Lots 1 & 2, Blk 10, Kanarra Town Survey. Mr. Morrell Olson explained that his uncle, Steven Morrell, lives in Las Vegas and he refuses to have anything to do with the property so he is solely responsible. Being disabled, he has been unable to pay delinquent taxes. He requested a payment plan to allow time to bring taxes current.

Mr. Morrell Olson stated that he could pay \$500.00 per month which would require 18 months to bring the taxes current.

Dale Brinkerhoff asked Mr. Morrell Olson if he was willing to enter into an agreement that if a payment plan is granted and a payment was missed that he would be willing to quit claim deed his portion of the property to the County. Mr. Morrell Olson stated that he was willing to stipulate to this arrangement.

Dale Brinkerhoff made a motion to approve a payment plan and to authorize the County Attorney to draft an agreement for approval at the next Commission meeting. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

BOARD OF EQUALIZATION :

Dale Brinkerhoff made a motion to convene as a Board of Equalization to receive information on an existing application for tax exemption. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

An application by the Dixie and Anne Leavitt Foundation submitted in December 2010 was recalled to make a decision and finalize the property tax exempt status on five (5) properties identified as B-1563-0003-0000; B-1563-0004-0001; B-1563-0005-0000; B-1563-0006-0000; and B-1563-0007-0001.

Michael Edwards reported that due to the mixture of residents in 2010, it was the opinion of the County Attorney's Office that the properties did not qualify for tax exemption. As of January 1, 2011 all of the residents within the units were scholarship recipients. He recommended that tax exemption be denied for 2010 and approved for 2011.

Dale Brinkerhoff made a motion to follow the County Attorney's recommendation and deny tax exemption for 2010 and to approve tax exemption for 2011. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

VEHICLE POLICY DISCUSSION :

Alma Adams introduced and discussed the need to amend the current County vehicle policy. Reed Erickson presented a first draft of a proposed policy for review. He requested the Commission to review the policy and make comments. After the Commission comments are received and incorporated, the policy will be distributed to Departments for their review and comments prior to final adoption.

PERSONNEL MATTERS :

Colette Eppley presented for approval new employees Jessica VanWoeart as an animal control technician to work with prairie dogs, Sheila Lazenby as an outreach worker for the Council on Aging, and Courtney Rogers as a part time receptionist at the Visitor Center. These are not new positions but are recommended to fill existing vacancies. Dale Brinkerhoff made a motion to approve the new employees pending a clean drug screen. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette also presented for approval Spencer Hurd and Jason Halley as volunteers at the animal shelter. Also Marc Marx to work as a special Needs Registry Specialist in the Emergency Management Department. Dale Brinkerhoff made a motion to approve the three volunteers as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette explained that the members of the Council on Aging Board have not been confirmed as volunteers. The following were approved as volunteers on a motion by Dan Webster: Doug Maxwell, Vern Kupfer, Arlen Grimshaw, Dan Webster, Hazel Jean Robinson,

Maree Prince, Roy "Pug" Urie, and Peggy Hale. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The Commission reported that they have determined to terminate the agreement with the Five County AOG to provide a Planner to Iron County. The Commission approved a County position change on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A position justification and job description will need to be presented and the job opening advertised in compliance with the County Personnel Policy to the Commission for approval and an interlocal agreement with participating Municipalities will need to be drafted and approved.

BID OPENING MOTOR GRADER :

Bids were opened as advertised for a 2011 Model Motor Grader for use by the Iron County Road Department. Two bids were received, Wheeler Machinery bid \$249,000 base bid and Honen Equipment bid \$229,000 base bid. Because of trade in value and optional items the bids were taken under advisement on a motion by Dale Brinkerhoff with approval to award the bid to the lowest total bid meeting all specifications. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS :

Jennifer Weaver commented on the procedure of the Commission to list non delegated items on the agenda where they are not assigned a time. As a reporter it is hard to judge when to attend for specific items if no time is attached.

CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

DISCUSSION OF NEW STATE OFFICE BUILDING :

Reed Erickson reported that the State is requesting the County to proceed with construction of a building to lease space to State agencies. The agencies include Adult Probation and Parole, Highway Patrol, and Dispatch and is proposed to be located on DL Sargent Drive in Cedar City. It has been suggested that the County parcel be subdivided to allow for title insurance and bonding on a complete parcel. The Permanent Community Impact Board has stated that funds would be available for a loan to construct the building.

PROCLAMATION NATIONAL PARKINSON DISEASE AWARENESS MONTH :

A proposed proclamation declaring April as National Parkinson's Disease Awareness month was presented by Gene Adams. He explained that Utah has one of the highest rates of Parkinson's in the country. Iron County has also been a study area because of an unusually high incidence rate of Parkinson's.

Dale Brinkerhoff made a motion to adopt the proclamation as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY, UTAH
PROCLAMATION

Parkinson's Disease Awareness Month 2011

WHEREAS, Parkinson's Disease is a progressive disorder of the central nervous system affecting more than one and one half million people in the United States; and

WHEREAS, the American Parkinson's Disease Association, Inc., founded in 1961, has sought to ease the burden and find the cure for this disease through research, patient and family services, education, and sponsorship of 53 Chapters, 62 Information and referral Centers, and nearly 1,000 support groups throughout the United States; and

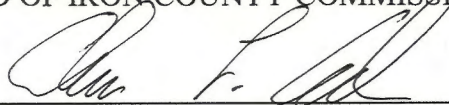
WHEREAS, the World, the Nation, and the County of Iron observe Parkinson's Disease Awareness Month during April 2011; and

WHEREAS, the County of Iron recognizes the efforts of the Iron Parkinson's Disease Support Group to promote awareness to fight Parkinson's Disease, thereby improving the quality of life for those living with the disease.

NOW, THEREFORE, We the Commissioners of Iron County, in honor of those who work with the American Parkinson's Disease Association Inc. and their value to our residents do hereby proclaim April 2011 to be Parkinson's Disease Awareness Month in the County of Iron and designate April 11, 2011 as World Parkinson's Disease Awareness Day in Iron County.

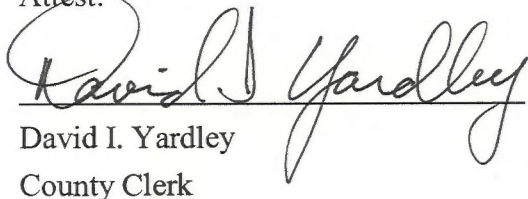
ADOPTED, this 11th day of April, 2011.

BOARD OF IRON COUNTY COMMISSIONERS



Alma L. Adams, Chairman

Attest:


David I. Yardley
County Clerk



DRAFT OF RECORD FEE SCHEDULE POLICY :

Michael Edwards presented a draft record fee policy for requests for production of documents. He noted that there are some grammatical and technical changes which need to be corrected. The document has been submitted to Departments for comments and the recommended changes have been incorporated into the draft.

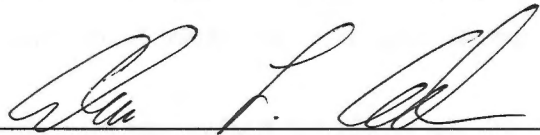
The Commission requested the appropriate changes be made and the draft be submitted for approval at the next Commission meeting.

COOPERATIVE LAW ENFORCEMENT AGREEMENT WITH FOREST SERVICE:

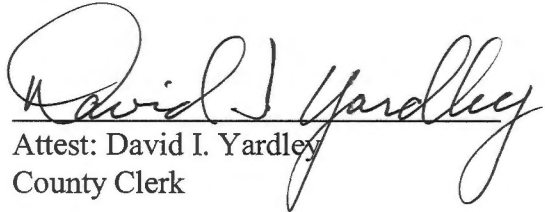
A cooperative law enforcement agreement with the National Forest Service to provide service to forest areas within Iron County was presented for approval. The Sheriff has approved the agreement and recommended the Commission adopt the agreement also. Dale Brinkerhoff made a motion to adopt the cooperative law enforcement agreement with the Dixie National Forest as recommended by the Sheriff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

ADJOURN :

The meeting was adjourned at 2:00 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
April 25, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 25, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Cindy Bulloch.

APPROVAL OF MINUTES April 11, 2011 :

Minutes of the Iron County Commission meeting held April 11, 2011 were approved on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Alma Adams reported on the passing of former County Commissioner and current Utah State Senator, Dennis Stowell. Funeral services were held on April 23 with Governor Gary Herbert and Senate President Michael Waddops as speakers. He mentioned the many years of public service provided by Senator Stowell.

Cindy Bulloch reported that personal property tax notices were mailed earlier. Second notices have been prepared and will be mailed in the near future. She also noted that property

values continue to decline with the sharpest decline in the higher value homes. Final values will not be available to the public until the tax roll is completed in May.

Cindy also reported that the data conversion from the Eagle system to Colorado Software is not going well. The two companies blame each other for the errors they are experiencing. A meeting hosted by MCAT is being scheduled with all parties present to see if a solution can be found to data conversion. Iron County is scheduled to migrate to Colorado Software in July.

Debbie Johnson presented a document filing comparison between 2010 and 2011. Recordings are down slightly for 2011 but are holding steady. Foreclosure filing are continuing but seem to be tapering off.

Debbie also reported that an employee's daughter has recently been diagnosed with Leukemia and the daughter will be having treatments in Salt Lake. The office may need to make additional arrangements to allow the employee time to travel for the treatments.

Geri Norwood reported that the amount of tax delinquency for 2010 is about \$28,000 over 2009. This is a relatively small shift considering the economic situation of the country at this time. She also reported that there are still over two hundred parcels scheduled for the annual tax sale scheduled for May 26. Several are high value properties and the list includes three mobile homes, ten homes, six commercial parcels, one agricultural building, and three sheds. The remainder are vacant parcels. Title searches have been completed and lien holders have been mailed notices of the impending sales.

Dan Webster reported that Reed Erickson sent a letter from the Commission to SUU expressing County concerns with the design of the proposed Southern Utah Museum of Art. A response has been received and the architect is revisiting the design to make it more in keeping with the main building themes of Southern Utah.

Dan also reported on shooting range issues which need to be addressed and a proposed concert at the County Fair. It has been determined that a headline act will not be retained for this year due to scheduling conflicts and costs.

Dale Brinkerhoff reported on meetings with Southwest Public Health. Due to damage from an earthquake in Japan, a nuclear power plant was severely damaged and is leaking radiation. There have been news reports of this contamination reaching the United States. The amount is so minimal it could be considered as background, naturally occurring radiation.

Reed Erickson reported that the Courthouse clean up day is scheduled for Friday. At that time Departments will designate stored items that can be disposed of including outdated records and equipment. A commercial paper shredder will be available to securely recycle papers.

Alma Adams reported on meetings he attended at the UAC management conference held in Davis County. He also reported on a meeting regarding RS 2477 roads. A tour of Iron County roads under discussion will be conducted on May 3rd.

RAP TRAINING :

Colette Eppley presented RAP training for weeks 11 and 12. Subjects included facility security and an emergency action plan. Several areas of improvement were noted including

holding regular fire drills and fire extinguisher training.

IRON COUNTY BUDGET REPORT :

Iron County Auditor, H. Eugene Adams, presented a budget update for the Commission. He explained areas of concern however most involved annual payments for services which typically come due during the first part of the year. Overtime and fuel costs are still a problem and need to be addressed by Departments.

KANARRAVILLE LANDFILL OPERATION DISCUSSION :

Mayor Keith Williams met with the Commission to discuss operation of the dump station at Kanarraville. He requested it be managed similar to the Beryl site where people have free access at all times. Currently the site is manned to monitor the type of material being placed in municipal waste dumpsters so that material such as batteries and used oil are not disposed of improperly.

Jaren Scott stated it was his recommendation that the site be manned when it is open to avoid illegal dumping. He had no problem with Kanarraville manning the site at additional times.

The Commission explained that to avoid illegal items in the waste stream, the site would be required to be manned while it is open. They reminded Mayor Williams that the landfill is available to all County residents during regular hours of operation.

TAX MATTERS :

Jeff Morrell Olson met with the Commission to review a proposed tax deferral agreement to extend delinquent tax payments over an additional year. The property is located at 60 S 100 W, Kanarraville, and is identified as serial number A-0662-0662-0001, and described as Lots 1 and 2, Block 10, Kanarra Town Survey. Dale Brinkerhoff made a motion to approve the tax deferral agreement as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A request for deferral of taxes and authorization to enter a payment agreement on property owned by M A B Management Inc. Undivided 50% Interest and Brite Ideas Inc. Undivided 50% Interest on property identified as serial number C-1106-0006-0011 and described as all of Lot 11, Red Canyon Subdivision. Mark Barrett, applicant, is the owner of M A B Management and Brite Ideas Inc.

Geri Norwood reported that in conversations with Mr. Barrett the property has been leased but the tenant had failed to make their agreed on tax payments. Dale Brinkerhoff made a motion to authorize a deferral agreement with minimum payments of \$275 per month for not more than twelve months. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Michael Edwards Discussion of potential tax payment plan policy. Items consider included need, type of property to allow a deferral upon, length of time for an extension, is the deferral a one time event per property owner, etc.

The matter was taken under advisement and a draft policy will be drafted for

consideration.

APPEAL OF CONDITIONS FOR A CONDITIONAL USE PERMIT :

An appeal of a conditional use permit issued by the Planning Commission for property located within the Northeast 1/4 of Section 33, Township 37 South, Range 12 West, SLB&M and identified as serial number E-0323-0007-0000 was requested by Gretchen A. Ruiz and John M. Ruiz. They appealed the number of dogs allowed and requested the number be raised to 25 dogs. They also requested the 200 foot setback be amended to 100 feet, the same as a CUP on an adjacent parcel with a kennel.

Chad Nay stated that the setback was an arbitrary number selected by the Planning Commission to mitigate the barking and howling of the husky type dogs planned for the kennel. He also suggested that a sliding scale could be used to allow up to 25 dogs for a maximum of five years at which time the number would be reduced to the current authorization of 20 dogs.

Dan Dail commented that the conditional use permit is not compatible with an area divided into twenty acre parcels and designated as a residential area. The Commission explained that the A-20 zone where this property is located is zoned as agricultural and the use as a kennel is consistent with the zoning regulations with a conditional use permit.

Dale Brinkerhoff made a motion to amend the conditional use permit to allow a 100 foot setback and to retain the maximum number of dogs at 20. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PERSONNEL MATTERS :

Colette Eppley presented for approval the name of Mason LeFevre as a seasonal weed/pest control sprayer. The position is filled annually during the weed and pest season. Dale Brinkerhoff made a motion to approve the new hire as presented effective April 18. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette also presented for approval a request for promotion of Michael Edwards to Deputy Attorney IV as he has met the qualifications for this position. Dan Webster made a motion to approve the promotion of Michael Edwards to Deputy Attorney IV. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Bridget Larsen was presented for a promotion to Paramedic Supervisor in the Ambulance Department to replace Nick Whittwer. Dale Brinkerhoff made a motion to approve the promotion as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a position justification for a Correction Officer to replace Kirk Barney who has accepted full time employment with Kane County. Dan Webster made a motion to approve filling the vacant position of a full time Correction Officer. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A proposal to help alleviate overtime at the Jail was proposed which was to allow former employees which left under favorable circumstances to return as on call employees to fill

overtime shifts. Dan Webster made a motion to approve the proposal to use former employees to fill overtime shifts at the Jail. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

BOARD OF EQUALIZATION :

Dale Brinkerhoff made a motion to convene as the Board of Equalization to hear a tax matter. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Cindy Bulloch explained a proposed stipulation on taxable value on the following personal property (mobile home) accounts owned by Earl Sevy. Account Numbers: B993718, B993722, B993723, B993737, B993738, B993741, B993747. After reviewing information presented by the Assessor's office Dale Brinkerhoff made a motion to approve the adjustment in market value on the listed accounts as recommended. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dale Brinkerhoff made a motion to close the Board of Equalization. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RECORD FEE POLICY ADOPTION AND RELATED ISSUES :

Michael Edwards reported that Utah Code require the County to have a record fee policy in place. It also provides that records may be viewed without charge. Jared Wilson explained the differences in cost for copies now being used by Departments. Cost to make copies vary from \$0.05 to \$0.50. A standard rate needs to be established which covers the cost of copying.

After reviewing the draft document action was tabled to allow for Department input in establishing fees and providing these services to the public.

PUBLIC COMMENTS :

Dan Dail along with his son, Nick, commented that the Special Olympics area games will be hosted in Cedar City on May 14. The Statewide Special Olympics will also be hosted in Cedar City this year as a branch of the Summer Games. It is expected to draw up to 3,000 people into the area as participants, parents, families and coaches. Dan invited the Commissioners to attend and welcome the participants. He also requested that an announcement of the program be placed on the County website.

CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

UNIVERSITY OF UTAH ALCOHOL AND DRUG SCHOOL :

Dan Webster made a motion to approve participating in the University of Utah School on Alcohol and Drugs by sponsoring two scholarships. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Applications may be made at the County Clerk's office and will be presented to the Commission for final approval.

BOARD APPOINTMENTS :

Planning and Zoning: Dan Webster made a motion to appoint Ron Larsen to fill the

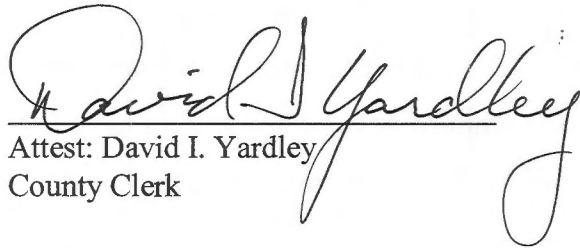
unexpired term of Lou Tong as a member of the Planning and Zoning Board. The term will expire in 2013. Second by Dale Brinkerhoff.

ADJOURN _____ :

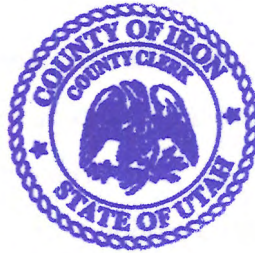
The meeting was adjourned at 2:30 p.m. on a motion by Alma Adams. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
May 9, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 9, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

Brett Allred	Jail Commander
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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Brett Allred.

APPROVAL OF MINUTES April 25, 2011 :

Minutes of the Iron County Commission meeting held April 25, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

The Commission expressed their sympathy to Sheriff Mark Gower and the Gower family in the passing of their mother, Lewen Orton Gower.

Brett Allred reported that staffing changes with the prisoner work crew have been made.

Steve Hunt is now the work crew supervisor. Mr. Hunt will continue to work as a line officer during June and July while staffing will be low due to individuals completing POST training and with personnel being activated by the National Guard for deployment to Iraq.

Mr. Allred also reported that overtime is high due to staffing shortages while officers are being trained. He reported that Federal prisoner numbers were down due to Federal budget issues. Prisoners were consolidated during a threatened government shutdown and the numbers have not been restored. This should change in the near future with numbers returning to near normal.

Reed Erickson reported on a County clean up day at the Courthouse. A large amount of paper and stored items were disposed of through the landfill and recycling. Some items were marked for disposal and will be offered for sale through an on line auction. Paper containers will still be available for a few weeks to continue the removal of non essential records.

Reed also reported that a bike tour group has arranged to stay at the Beryl Community Center on July 15 at no cost. The group is touring the United States and will consist of up to thirty five individuals. Michael Edwards was asked to draft a use agreement for use of the building.

Dale Brinkerhoff reported on meetings he is scheduled to attend. These included Mental Health, Public Health and Five County AOG. Local meetings included Cedar City Airport Board and a Fish and Wildlife meeting.

Dan Webster reported that a mine tour has been scheduled for tomorrow weather permitting. Dan also discussed fairgrounds improvements which are discussed further in the minutes.

Dan also reported that Brian Tavoian has been selected to replace June Sewing as the Building Trades Association Director.

Alma Adams discussed road sign improvements to comply with the Manual on Uniform Traffic Control Devices (MUTCD) regarding retro reflectivity. This will include approximately \$19,000 in equipment and material purchases to be able to do sign upgrades. Neil Forsyth has request authorization to use budgeted funds from another equipment purchase. Dan Webster made a motion to authorize the Road Department to reallocate equipment budget items to include the purchase of sign repair equipment to comply with MUTCD. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

TAX MATTERS _____ :

Steve Carrizosa met with the Commission to request a tax deferral on property account #0132396, serial # D-0518-0007-0000, also identified as 4855 North 2800 West , Cedar City, Lot 3, Blk 8, Mid Valley Estates Unit 2. He explained that due to medical problems and loss of job he has been unable to pay the taxes current.

Dale Brinkerhoff made a motion to grant a tax deferral for not to exceed full payment of taxes interest penalty and fees by March 1, 2012. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Mr. Carrizosa was instructed to contact the County Attorney's office to finalize a payment agreement.

David Yardley reported that SCI Investments, LLC, Property Account #0491828, Serial #B-1967-0001-0000, Com at SW Cor Sec 22, T35S, R11W, SLM has requested a postponement until next meeting. The matter was tabled without action.

ORDINANCE 2011-4 TAX SALE PROCEDURE :

David Yardley explained that the Auditor's office has requested the Commission to consider establishing the method, rules and procedures for conducting the annual tax sale and allocating administrative costs to delinquent properties. The ordinance is based on current published procedure and a model ordinance from another County.

After reviewing the ordinance, Dale Brinkerhoff made a motion to adopt Ordinance 2011-4 with amendments. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

**IRON COUNTY, UTAH
ORDINANCE 2011-4**

AN ORDINANCE OF IRON COUNTY, UTAH, ESTABLISHING THE METHOD, RULES AND PROCEDURES FOR CONDUCTING THE ANNUAL TAX SALE AND ALLOCATING ADMINISTRATIVE COSTS TO DELINQUENT PROPERTIES, ESTABLISHING AN EFFECTIVE DATE, AND RELATED MATTERS.

WHEREAS the County Commission is charged under Utah Code § 59-2-1351 et. seq. with determination of the method of sale of delinquent properties for delinquent taxes; and

WHEREAS the attached "METHOD OF SALE" and "IRON COUNTY TAX SALE RULES," appear to facilitate the objectives of protecting the financial interest of the delinquent owner while meeting the County's need to collect delinquent taxes due; and

WHEREAS the Tax Sale creates costs of administration including advertising, noticing, litigation report, offerings, mailings, etc.

NOW THEREFORE, be it ordained that the attached PUBLIC NOTICE, METHOD OF SALE and IRON COUNTY MAY TAX SALE RULES, are hereby adopted to govern the Iron County Tax Sale and be it further ordained a fee determined by the Iron County Treasurer per parcel for "administrative costs," and be it further ordained said fee is to be added to the taxes, penalties and interest outstanding on each delinquent property, along with recording and issuing fees, to cover a proportional share of the costs of such administration.

SECTION II: SAVINGS CLAUSE.

In the event one or more of the provisions of this Ordinance shall, for any reason, be held to be unenforceable or invalid in any respect under any applicable laws, such as enforceability or

invalidity shall not affect any other provision; and in such an event, this Ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.

SECTION III: REPEAL OF CONFLICTING ORDINANCES.

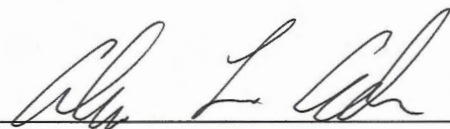
To the extent that any ordinances, resolutions or policies of Iron County conflict with the provisions of this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION IV: EFFECTIVE DATE

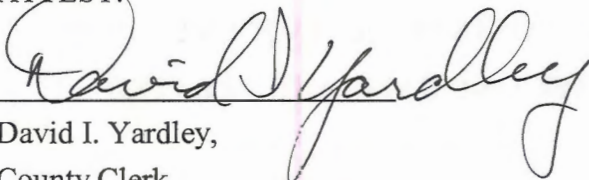
This Ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 9th day of May, 2011.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Alma L. Adams, Chairman

ATTEST:


David I. Yardley,
County Clerk



VOTING:

Alma L. Adams Aye
Dale W. Brinkerhoff Aye
Daniel L. Webster Aye

PUBLIC NOTICE

Notice is hereby given that on the Fourth Thursday of May, at 10:00 A.M. at the front door of the Iron County Courthouse Parowan, Iron County, Utah. The Iron County Auditor, will offer for sale at public auction and sell to the highest bidder for CASH, CASHIERS CHECK or CREDIT CARD pursuant to the provisions of Section 59-2-1351.1 Utah Code, the following described real estate situated in said County and now held by it under preliminary tax sale. No bid for less than the total amount of taxes, interest, penalty and costs which are charged upon said real estate will be accepted. IRON COUNTY DOES NOT WARRANTY ANY PARCEL AND ALL TITLE SEARCHES ARE THE RESPONSIBILITY OF THE PURCHASER. It is the responsibility of the bidder to determine the physical aspects of the land, its geographical location, accessibility and availability or validity or water rights. All sales are final.

METHOD OF SALE

The Board of County Commissioners of Iron County has determined the highest bid amount for the entire parcel of property best meets the objectives of protecting the financial interests of the delinquent property owners and collecting delinquent property taxes due. However, a bid may not be accepted for an amount which is insufficient to pay the taxes, penalties, interest and administrative costs. Any unclaimed amount received in excess of taxes due and administrative fees shall be considered surplus property and will be remitted to the Utah State Treasurer, Unclaimed Property Division.

IRON COUNTY MAY TAX SALE RULES

Each bidder must pre register on line at www.ironcounty.net/taxsale and enter the information required.

REGISTRATION WILL CLOSE THE WEDNESDAY, PRECEDING THE SALE AT 5:00 P.M. DAYLIGHT SAVINGS TIME. No late registrations will be accepted. No Exceptions.

Each bidder shall properly and clearly identify correct information and address for use in issuance of deed at time of pre-registration. One deed will be issued to the successful bidder on each parcel sold.

Prior to sale the bidder must pick up their assigned bidder number in the Auditor's Office or picked up no later than 9:45 A.M. the day of the sale in the lobby of the courthouse.

The period to redeem property shall end the day prior to the Tax Sale at 5:00 P.M.

The County Auditor will state the amount of taxes, penalties, interest and administrative costs of the parcel being offered for sale, which is the amount at which bidding will begin and the lowest acceptable bid.

Upon receipt of bid sufficient to pay taxes, penalties, interest and administrative costs of the parcel, higher bids shall be solicited. The bid received in the highest dollar amount, when no higher bids are tendered upon request by the Auditor, shall be the bid accepted (if such bid is otherwise acceptable under these rules).

Only cash, certified funds or credit card (one card per transaction) will be accepted in payment for property. **NO PERSONAL CHECKS ACCEPTED.**

PAYMENT SHALL BE MADE TO THE COUNTY TREASURER DURING, BUT NO LATER THAN IMMEDIATELY FOLLOWING THE COMPLETION OF THE TAX SALE.

Collusive bidding is not permitted and is punishable under Utah Code § 76.10-920

- (i) if an individual, by a fine not to exceed \$100,000 or by imprisonment for an indeterminate time not to exceed three years, or both; or
- (ii) if by a person other than an individual, a fine not to exceed \$500,000.

Bids will advance in increments of at least \$100 on all parcels, but may be increased on any given parcel at the County Auditor's discretion.

The bidder first recognized by the County Auditor will be the first bid recorded, etc. As in any auction the bid recognized is the one in effect at the time.

Cell phones, loud whispering, yelling or talking, other than bids, shall be avoided, so that accurate records may be kept of the proceedings of the sale.

Current owners, companies or persons holding an interest in a parcel listed for tax sale shall not be allowed to bid on any tax sale properties.

The final bid number announced by the Auditor is the official sale and the registered name and address will be the name listed on the deed.

All bids shall be considered conditional, whether or not the bid is contested, until reviewed and accepted by the Board of County Commissioners acting at a regularly scheduled meeting. The County reserves the right to reject any and/or all bids.

Any parcel not receiving a minimum bid shall be struck off to the County.

Upon any final bid being rejected, the parcel shall be struck off to the County.

A minimum fee in the amount \$250.00 per parcel will be assessed as "administrative costs" by the Iron County Treasurer.

Any person wishing to contest any action taken in connection with the Iron County Tax Sale must present such protest to the Iron County Commission, through the Iron County Clerk's Office in writing, within ten (10) days of the sale.

Any property listed may be subject to a roll-back tax under the provisions of "THE FARMLAND ASSESSMENT ACT" Utah Code Section 59-2-501 through 59-2-515.

REVISIT REQUEST FROM MARCH 14, 2011 TO WAIVE ROLLBACK FEES :

A request from Cedar City to revisit a request to waive the roll back tax on property account # 490366, serial # B-1840-00RD-0000 was tabled until next meeting to allow the mayor to attend and explain the reason why Cedar City should not be required to pay delinquent interest penalty and related tax sale fees on the parcel which is scheduled for tax sale on May 28.

Because the Mayor did not appear no action was taken and the matter was tabled to the next meeting at the request of Commissioner Brinkerhoff.

RAP TRAINING :

Colette Eppley presented RAP training for weeks 13 and 14. Training for week thirteen included timely reporting of accident involving County equipment or damage to County property. It was noted that current policy requires injury cases subject to workers compensation to be reported through the Human Resource department and damage to vehicles or property are to be reported to the Insurance Coordinator, David Yardley.

Week fourteen training was on observing hazardous conditions which include unsafe acts and unsafe conditions. Employees are encouraged to report these conditions as soon as possible.

PERSONNEL MATTERS :

Colette Eppley presented for approval new employees Jason Slack to backfill a position at the Jail as a Correction Officer; Mary Halterman as a seasonal part time secretary for the Fair; and Debbie Grimm as a seasonal part time secretary for the Fair. Mary and Debbie were hired last year but require approval annually. Dan Webster made a motion to approve the new employees as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented for approval as volunteer workers in the Sheriff Volunteer In Police Service (VIPS) program Tom Biller, Jane Fell, Kenneth Foster, Roland Gow, Kleigh Hirschi, Robert Lovelass, Donald McGurk, William Nicks, Lynn Papworth, Jerry Roe, William Sommers, and David Walker. Dan Webster made a motion to approve the VIPS volunteers. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented position justifications for the Sheriff's Office to replace Jeremy Holm as a full time Deputy Sheriff; the Assessor's Office to replace a full time employee, Marianne Malone, in the Cedar City Motor Vehicle office and to replace a vacant part time position in the Cedar City Motor Vehicle office. Dan Webster made a motion to approve the position justifications and authorize advertising to fill the positions. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette also requested a review of current policy requesting an extension of time an active roster could be used to fill vacancies in law enforcement. She explained that it is difficult to get the Merit Service Commission to meet and put together a new roster and due to changes in staffing due to resignations and with the activation of the National Guard, there will not be time to get a new roster in a timely manner. Dan Webster made a motion to amend the policy to allow a roster to be used for up to eighteen months. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a request to promote Carolyn Felker from a part time employee to a full time employee in the Assessor's Office, Motor Vehicle Division in Cedar City as previously approved in the prior motion. Dan Webster made a motion to approve the promotion of Carolyn Felker as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a request to donate vacation leave to two employees. Tom Nielsen working in the Road Department has used all of his accrued sick leave and his supervisor, Neil Forsyth has requested that other employees be allowed to donate vacation hours to Mr. Nielsen.

Amber Evans, a Recorder Deputy, has a daughter recently diagnosed with leukemia and requires frequent trips to Salt Lake City for chemotherapy. Debbie Johnson, Recorder, has requested that she be allowed to receive vacation hour donations to allow her to travel with her daughter for treatments.

Dale Brinkerhoff made a motion to approve the vacation leave donation requests for Tom Nielsen and Amber Evans as requested. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Alma Adams opened a discussion regarding a staffing change regarding the County Administrator position by reclassifying his job as a Special Services employee with different job duties and responsibilities and a pay grade of 22. He then made a motion to make the change as he explained. The motion died for lack of a second.

Dale Brinkerhoff then made a motion to direct the County Attorney to draft documents to Five County AOG to terminate Iron County participation in a Circuit Planner position effective July 1, 2011 and to proceed with a new County Planner position under County control with a new job description and Department with the expectation that Cities will participate in funding the position. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dale Brinkerhoff then made a motion to collapse or eliminate the current County Administrator's office including all current employees effective June 15, 2011.

Colette Eppley expressed great concern with eliminating position without additional workforce studies. She explained that not enough thought has gone into eliminating a whole department and the ramifications it will have on the County.

Alma Adams expressed concern that Commissioner Brinkerhoff was reacting to public clamor and that not enough thought and study has been given to eliminating this Department.

Dan Webster stated that as elected officials they were charged with lowering County expenditures and that it appears that this is one area that could be eliminated without damaging County services. He then seconded Dale Brinkerhoff's motion.

Additional comments were from Craig Spittler who was concerned with the way government grows and that the constant expansion needs to stop. Cindy Bulloch stated that she hoped that Jan Neth could be utilized in another County department, possibly as an assistant to the new Planner position.

The matter was then called for a vote with voting as follows: Alma Adams, NAY; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RECORD FEE POLICY ADOPTION AND RELATED ISSUES :

Jared Wilson reviewed with the Commission his findings on the cost of copying on County equipment and in compliance with the Government Records Management Act (GRAMA). Michael Edwards explained the need for establishing fees in compliance with GRAMA and that excessive fees are not charged in compliance with statute.

Ron Johnson explained that ambulance billing records are maintained by Gold Cross and would be subject to their fee schedule.

After reviewing the proposed record fee schedule, Dan Webster made a motion to adopt the fee schedule and to have the County Clerk distribute a copy of the adopted schedule to each County Department. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

BURN PERMIT POLICY DISCUSSION :

Ryan Riddle met with the Commission to explain the need for a year round burn policy in the County. Because of State and Federal laws regarding open burning the Department of

Environmental Quality and the Environmental Protection Agency have established guidelines that control air particulate standards. Fines by these agencies for non-permitted burning start at \$5,000.

He suggested a County policy that burning would be permitted with a valid permit from June 1 through October 31 annually. From November 1 through April 15 no open burning would be permitted and from April 15 through May 31 open agricultural burning would be permitted.

The Commission authorized additional study on this issue and a request to draft a proposed policy for review and adoption.

PUBLIC COMMENTS _____ :

Don Young commented he appreciated the action of this Commission in taking action to reduce County spending by eliminating unnecessary Departments and personnel. He encouraged the Commission to continue to make choices that will allow a reduction of taxes in the future.

Wendell Shallenburger commented on property taxes procedures including the length of time between when a property goes delinquent in payment of taxes and the eventual tax sale of property. He suggested that legislation be changed to shorten the redemption period to two years. The Commission explained that this is not within County jurisdiction and would be required to be addressed by the Legislature.

Ellen Schunk, representing Senator Lee, met with the Commission to introduce herself and to offer the Senator's services in federal issues affecting Iron County. The Commission explained their concern with getting a solution to the prairie dog issue and will work with Senator Lee and Hatch in trying to come to some reasonable solution.

CALENDER SCHEDULE COORDINATION _____ :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

SOLID WASTE ORDINANCE DISCUSSION _____ :

Dale Brinkerhoff requested a review of provisions of Iron County Ordinance 122 which established guidelines for the operation of the Landfill and Solid Waste collection. Mr. Brinkerhoff reported that he had been contacted by two different individuals that were concerned with billing for residences which were not occupied.

Alma Adams explained that the ordinance states that every habitable residence is to be billed for solid waste service. This includes a landfill fee that is dedicated to the operation of the landfill.

Jaren Scott explained that title companies should call at closings to determine if delinquent amounts are owed on a home. He also explained that there is not a reasonable way to start and stop service and that service has to be provided even though a home is unoccupied.

A concern was also voiced by Dan Webster regarding service for mountain cabins. Cindy Robinson explained that a former Commission exempted through a motion mountain cabins where an Iron County resident also received service. The former Commission reasoned that a resident could not utilize service at both locations at the same time. Most garbage would be returned to the primary residence and disposed of through their existing service.

Dale Brinkerhoff made a motion to exempt Renn Zaphiropoulos from a second can charge on a rental home located on the old Woolsey Ranch property. The motion died for lack of a second.

The Commission instructed the Clerk's Office to review home ownership records with the Assessor's Office and to enforce the ordinance as written by billing all habitable residences within Iron County. This would eliminate an exemption for mountain cabins for Iron County residents.

FAIRGROUNDS UPGRADES AND IMPROVEMENTS :

Dan Webster reported on proposed upgrades at the Fairgrounds. Fair Chair Joyce Evans has enough in the budget to complete additional improvements including a new grandstand section, power upgrades and burying an overhead electrical service line. Arena upgrades will cost an additional \$10,000 over what is budgeted. Parowan City has agreed to fund the additional \$10,000 if approved by the Commission. Dan Webster made a motion to approve the additional funding of \$10,000 to be supplied by Parowan City to complete upgrades to the rodeo arena. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

FESTIVAL HALL USER FEE FOR COUNTY MEETINGS :

A plan to discuss user fees at the Festival Hall for County sponsored events was tabled without action to allow the Mayor of Cedar City to attend.

VEHICLE POLICY DISCUSSION :

A draft County vehicle policy was distributed to the Commission and was reviewed. Areas needing work included a section regarding personal use of law enforcement vehicles, maintenance of use logs for vehicles, and on Department use of vehicles for incidental travel. Most vehicles not assigned to law enforcement are to be left at County buildings but may be taken home overnight when traveling early the next day. Additional changes and suggestions will be submitted by the Commission after which a final draft will be distributed to Departments for comments and suggestions.

AMBULANCE TELECOMMUNICATION GRANT AGREEMENT :

A request to authorize a grant application through the Ambulance Department was presented by Ron Johnson. He explained that the State has authorized the grant to upgrade telecommunication facilities at sites in Iron County. The work must be completed by June 30, 2011 so there is an urgency in approving the grant application. Dan Webster made a motion to approve the grant application and to adjust the Ambulance budget to authorize the additional expenditure.

CLOSED SESSION :

Dale Brinkerhoff made a motion to convene in closed session to discuss litigation items in compliance with Utah Code 52-4 et. seq. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

STATE OF UTAH)

) s.s.

COUNTY OF IRON)

I, Alma L. Adams, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Closed Meeting convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of a strategy session to discuss pending or reasonably imminent litigation.

Dated this 9th day of May, 2011.

Signed: Alma L. Adams, Chairman

Attest: David I. Yardley
County Clerk

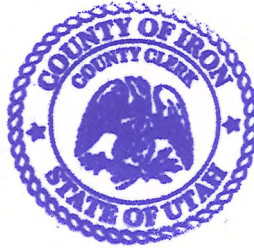


ADJOURN _____ :

The meeting was adjourned at 3:30 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Signed: Alma L. Adams, Chairman

Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
May 23, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 23, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

H. Eugene Adams	County Auditor
Colette Eppley	Human Resource Director
Connie Lloyd	Senior Citizen Coordinator

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Alma Adams.

APPROVAL OF MINUTES May 9, 2011 :

Minutes of the Iron County Commission meeting held May 9, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Connie Lloyd reported on services provided through the Senior Citizen program in Iron County. The Senior centers have provided over 16,000 meals during the past year which includes meals delivered through the "meals on wheels" program. They have also provided social service through funding from block grants which include shopping tours, Doctor visits, pickup and return from Center activities and sight seeing tours. Connie reported that the next Council on Aging Board meeting has been scheduled for August.

David Yardley reported on voting issues including the Federal Election Commission declaring that Election Systems and Software could not upgrade software on our current touch screen voting system known as GEMS. Utah has decided to switch vendors and contract with Dominion Voting for support of our system.

The Clerk's office will be working with all of the municipalities within Iron County this year to provide election support. This will include ballot formation and counting as has been supplied in the past.

Colette Eppley reported on Human Resource issues. The Personnel Evaluation Program (PEP) is working for Departments using it. There are still a few Departments not using the system which will be detrimental when it comes to employee evaluations later this year. Colette also noted several major changes in the Utah Retirement System which will take effect on July 1. This will necessitate changes in the payroll system to account for different retirement rates for employees hired after July 1 and for existing employees. A workshop will be held to explain changes to employees.

Reed Erickson reported that he attended an EMT award recognition program last week. The event was attended by active EMT's and their families.

Reed also reported that Municipal Fire Departments are currently working on their budgets which must be adopted prior to July 1. The existing fire agreements have expired and need to be renewed. In the past, Cedar City has not adopted the Standard Operating Procedure (SOP) for responding to County fires due to concerns with liability language. This needs to be addressed in contract negotiations.

Michael Edwards reported on progress in completing tax waivers for applicants wishing to enter a payment plan to pay tax delinquencies. All of the approved applicants have completed and signed the agreements. The agreements need to be signed by the Commission Chair and notice of tax lien must be filed in the Recorder's Office.

Dale Brinkerhoff reported that he would be absent from the June 27 meeting due to prior commitments. Dale also reported that he met with SUU President Benson to discuss funding of the Southern Utah Museum of Art. A proposal to change the funding from the front end of the venture to the completion end was proposed which would allow funds to accumulate in the restaurant tax fund for approximately four years. This will allow the County to reduce the bond commitment which will save interest payments.

Dan Webster reported that he recently returned from Hawaii where he visited the USS

Arizona memorial at Pearl Harbor. As a veteran the memorial has special meaning and with the deployment of the local National Guard Battalion the importance of our armed forces was noted as being greatly appreciated.

Alma Adams discussed preparations for expected flooding due to a large snow pack and a cool spring which has slowed melting of the snow pack. It is expected that a larger than normal spring runoff will occur.

IRON COUNTY BUDGET REPORT _____ :

Eugene Adams met with the Commission to report on present budget figures for 2011. He reported that 2011 collections were ahead of 2010 for the same period and that Department expenditures were holding steady. He explained areas where it appears the budget may be in trouble but he noted that most of these are for expenditures that occur early in the year and are one time payments. Currently the budget looks to be in line with predictions for 2011.

TAX MATTERS _____ :

Brent Hall representing SCI Investments, LLC, came before the Commission to request a tax deferral and payment plan for property account number 0491828, Serial Number B-1967-0001-0000 due to the economic downturn. They explained that this is proposed development property which was slated to be subdivided when the housing market crashed. Mr. Hall requested that an amendment to the approved payment schedule be amended to allow a first payment now and a balloon payment in ten months. The Commission rejected this request and instructed the Attorney to draft the agreement with monthly payments.

Dale Brinkerhoff made a motion to approve a tax deferral payment plan not to exceed ten months with provisions as approved in previous agreements. Michael Edwards was authorized to draft an agreement for signatures. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Kent Jensen, owner of D K Jensen Construction Inc also requested a payment plan for property located at 463 W 200 North, Cedar City, Canyon Ridge P.U.D. and identified as Account Number 0441433, Parcel Number B-1770-0046-0000 citing the downturn in the economy and the housing market.

Dale Brinkerhoff made a motion to approve a tax deferral payment plan not to exceed ten months with provisions as approved in previous agreements. Michael Edwards was authorized to draft an agreement for signatures. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dave Armbrust and Armbrust Construction LLC submitted a request to receive a tax deferral and payment plan on four parcels identified as Account Number 0443959 Parcel Number B-1780-0009-0000; Account Number 0462140 Parcel Number B-1253-0013-0000; Account Number 0322807 Parcel Number D-1024-0002-0008-11; and Account Number 0322815 Parcel Number D-1024-0002-0008-12. Mr. Armbrust requested a payment schedule for twenty two months. Mr. Armbrust was not present but conferred by phone with Michael Edwards detailing terms of the tax deferral request.

Dale Brinkerhoff made a motion to approve a tax deferral payment plan not to exceed ten months with provisions as approved in previous agreements and to complete the agreement with signatures prior to May 25. Michael Edwards was authorized to draft an agreement for signatures. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Mayor Joe Burgess met with the Commission to revisit request from March 14, 2011 to waive rollback fees on Property Account Number 490366, Serial Number B-1840-00RD-0000. He recognized the tax was due and that it should have been the prior owner that was responsible for payment. He requested that the County waive the penalty and interest on the delinquent roll back taxes due.

Alma Adams made a motion to waive the penalty and interest but to retain the title search fees assessed at \$250.00. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Mayor Burgess also requested a waiver of the interest and penalty on a similar parcel obtained by Cedar City and known as the Stratton property near the airport. Since this was not noticed and documentation provided, no action was taken by the Commission at this time.

IRON COUNTY PUBLIC ACCESS/TRANSPORTATION MAP :

Mike Worthen, Natural Resource Specialist, presented a public access/transportation map which is anticipated to be used by the Bureau of Land Management (BLM) in their planning process. It will not affect RS-2477 right of way negotiations or a County approved transportation plan.

RAP TRAINING :

Colette Eppley presented weeks 15 and 16 RAP training. Week 15 covered reporting on unsafe conditions. This could include hazards in the work place or on County owned properties. It could also include missing street signs on County roads. Week 16 was a review of sexual harassment training pointing out different forms of harassment and the County responsibility to provide a safe work environment.

PERSONNEL MATTERS :

Colette Eppley presented for approval Brian Douglas Seirup as a new employee in the Sheriff Patrol Division to replace Jeremy Holm. Dan Webster made a motion to approve the hiring of Brian Douglas Seirup as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented Haley Allen and Taryn Adams as volunteers at the animal shelter. Dale Brinkerhoff made a motion to approve the volunteers as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a position justification to replace Matt Mellor as a full time Corrections Officer and to replace Kirk Barney as a Patrol Deputy. She also presented a justification to temporarily promote a Deputy to Drug Court Tracker, to replace a full time Patrol Deputy which will be moved to Drug Court Tracker and to replace a part time Bailiff. Dale Brinkerhoff made a

motion to approve the justifications as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette then presented the following staffing changes including promotions as follows: Shawn Coston from temporary Drug Court Tracker back to Corrections with a grade change from Grade 19 to Grade 17.; Promote Caleb Anderson to Temporary Drug Court Tracker with a temporary grade change from Grade 17 to Grade 19.; Promote Chance Kirkham from part time Bailiff to full time Patrol Deputy as a temporary promotion to fill positions which will be vacant during the deployment of the National Guard unit from Southern Utah. Dan Webster made a motion to approve the listed staffing changes as requested. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a justification request to replace Chance Kirkham as a part time Bailiff. Dale Brinkerhoff made a motion to approve advertising and filling this position. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The Sheriff requested permission to hire an additional part time Bailiff bringing the Bailiff staff to six. Some of the existing Bailiff's will have hours reduced so that total hours worked should not be increased. It will also allow adequate staff to handle all of the courts. Dale Brinkerhoff made a motion to approve the additional Bailiff part time position. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

The Sheriff also requested consideration to hire a part time animal control employee to replace Ron Decker, who is retiring. The position would be a non post certified position. The employee would work at the animal shelter in feeding and caring for animals. They could also be used to respond to animal calls which currently tie up patrol deputies. Dale Brinkerhoff made a motion to approve a part time position as an animal control officer as requested. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

TAX SHIFT IN UTAH :

Wendell Shallenberger presented a comment regarding legislation which creates a tax shift to compensate for delinquent taxes. He explained that tax payers have up to five years to pay delinquent taxes which results in a tax shift to persons paying on time. He suggested changes to shorten the redemption period to two years. He requested the Commission to forward information to the Utah Association of Counties to press for a Legislative change.

The Commission explained that this is a legislative issue and should be taken up with Legislators.

ECONOMIC AND BUDGET ISSUES :

Don Young commented on the County budget for the past four years since the Municipal Service Fund was put in place. He pointed out that publications written in 2010 state that the current recession started in 2007. He explained that his focus has been to show that the tax associated with the MSF does not reflect the actual services performed and that the tax was used to give County employees including Commissioners excessive salary increases. He also challenged employee salary increases which were approved in 2006 and went into effect in 2007. No action was required of the Commission.

BOARD OF EQUALIZATION :

Dale Brinkerhoff made a motion to convene as a Board of Equalization to review Veteran Application(s) Submitted for property tax credit (s) for the 2010 tax year. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Christene Lowder presented a late Veterans exemption notification for James Cavanaugh with an effective date during 2010. Veterans exemptions can be applied retroactively. The approved exemption is \$1,511.44. Dale Brinkerhoff made a motion to approve the Veterans exemption as presented and to reconvene in open session. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS :

Jennifer Weaver commented that she would like to have Commission minutes posted to the County website quicker than currently being done.

BID OPENING FOR BERYL FIRE STATION REMODEL PROJECTS :

Bids were opened as advertised for remodel projects at the Beryl Fire Station. The project was broken into four different sub projects with the following results:

Membrane Roof:

Conwest	\$35,834.00
S.M.J. Homes	\$19,199.25

Truss Roof:

S.M.J. Homes	\$54,151.30
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Sheet Rock:

S.M.J. Homes	\$4,277.02
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Mechanical Systems:

Forsyth Heating & Air Conditioning	\$7,600.00
Zion Plumbing	\$6,217.00

Dale Brinkerhoff made a motion to take the bids under advisement to evaluate them as to meeting all of the bid specifications and to make a recommendation to the Commission on which bids to accept. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PRAIRIE DOG TAKE REQUEST :

Adam Kavalunas met with the Commission to present a permanent take request for prairie dogs submitted by Chance Warren for Lot 12, Maple Springs Estates Subdivision. The take request was for 0.32 acres and a total of two prairie dogs.

Dale Brinkerhoff made a motion to approve the take request for Chance and Crystal Warren for two permanent take prairie dogs. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

CLOSED MEETING :

Dan Webster made a motion to convene in closed session for the purpose of a strategy session to discuss pending or reasonably imminent litigation in accordance with Utah Code 52-4

et. seq. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

STATE OF UTAH)

) s.s.

COUNTY OF IRON)

I, Alma L. Adams, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Closed Meeting convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of a strategy session to discuss pending or reasonably imminent litigation.

Dated this 23rd day of May, 2011.

Alma L. Adams

Signed: Alma L. Adams, Chairman

David I. Yardley

Attest: David I. Yardley
County Clerk



CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

PRAIRIE DOGS :

Alma Adams reported that Iron County committed up to \$5,500 annually for the management of the Dalley Prairie Dog Farm. The Department of Natural Resources which is charged with management of the farm has requested \$5,000 from the 2011 funding to purchase a wheel line for the Dalley farm.

The Commission also reported that as work was being done at the Paragonah cemetery "rodent beepers" were found to have been placed by unknown persons in an effort to move prairie dogs out. This has prompted an investigation by Federal Wildlife officials and in turn could halt removal of prairie dogs from the cemetery.

Dan Webster made a motion to authorize Bonnie Oldroyd to prepare a press release regarding events which will influence efforts to deal with prairie dog problems. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

FESTIVAL HALL FEES :

The Commission discussed user fees at Festival Hall with Mayor Burgess from Cedar City. The agreement states that a nominal fee will be charged for County functions. Recently some County sponsored events have been charged one half of the regular fee. The

Commission requested that Cedar City look at the charges and determine where the nominal fee should be set and which meetings will be subject to the fee. Mayor Burgess was unaware that fees were being charged and he stated he would review the matter with staff and report back to the Commission.

COMMISSION ASSIGNMENTS :

Following is a breakdown of Commission assignments as approved on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye:

Commissioner Alma Adams, Chair (477-3574, 559-3574 alma@ironcounty.net)

Roads	Neil Forsyth
Human Resource	Colette Eppley
Solid Waste / Landfill	Jaren Scott
Engineer	Steve Platt
USU Extension Service	Chad Reid/Kathy Riggs
Weeds	Chad Reid/Kacy Adams
Natural Resources	Mike Worthen/Brian Cottam
BLM	
Forest Service	
National Parks Service (NPS)	
SUPAC	Brian Cottam
Prairie Dogs	
Liaison Recorder	Debbie Johnson
Liaison Clerk	David I. Yardley
Parowan Airport	Shayne Scott
Parowan Gap Heritage Comm	Nancy Dalton
Hwy 143/National Scenic Byway	Nancy Dalton
Floods & Water (Parowan Valley)	Steve Platt/Ken Sizemore
UAC Committees	Brent Gardner
Lands & Resources	
Transportation	
Taxation & Revenue	
RS-2477	Mark Ward



Commissioner Dale Brinkerhoff (586-6830, 559-1852, dnbrinkerhoff@ironcounty.net)

Parks and Rec/Emergency Management	Charlie Morris
Building & Zoning	Chad Nay
Planner	Todd Stowell

Information Technology (IT)	Jared Wilson
Television	Dennis Johnson
Liaison Assessor	Cindy Bulloch
Liaison Treasurer	Geri Norwood
Central Iron County Water Conservancy District	Scott Wilson
Mental Health	Mike Beal
Health and Human Services Council	Carrie Dennis
Public Health	Dr. David Blodgett
Five County AOG	Ken Sizemore
Three Peaks Committee (to be formed)	
Floods & Water (Escalante Valley)	Steve Platt/Ken Sizemore
Library/Bookmobile	Steve Decker/Kristen Robinson/Jeff Lewis
Cedar City Airport	Russ Volk
Volunteer Center	Tracy Garrett
Regional Waste Water System	
UAC Committees:	Brent Gardner
Human Services	
Intergovernmental Relations	

Commissioner Dan Webster (586-6622, 559-1717, dwebster@ironcounty.net)

Jail	Mark Gower/Bret Allred
Sheriff Liaison	Mark Gower
Ambulance	Ron Johnson
Fire Departments	Ryan Riddle
Children's Justice Center	Stephanie Furnival
County Fair	Joyce Evans
Council on Aging	Connie Lloyd
Economic Development	Brennan Wood
Conventions / Tourism	Maria Twitchell
Diamond Z Arena	Larry Olds
Utah Summer Games	Casey McClellan
Workforce Services	
Frontier Homestead State Park	Todd Prince
Floods & Water (Cedar Valley)	Steve Platt/Ken Sizemore
Justice Court	Margaret Miller
Cedar Chamber of Commerce	Scott Jolley



Shooting Range
Liaison Attorney
Liaison Auditor

Gene Roundy
Scott Garrett
Eugene Adams

UAC Committees:
Law Enforcement/Corrections
Indigent Defense Board

Brent Gardner

Reed Erickson (865-8381, reed@ironcounty.net)

County Buildings/Janitorial

DRAFT RULES FOR CONDUCTING PUBLIC MEETINGS :

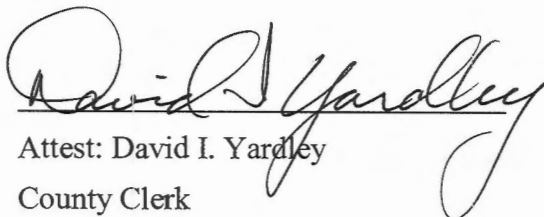
Michael Edwards discussed with the Commission the need to establish rules to conduct County meetings. It was noted that currently a modified form of Roberts Rules of Order are followed. This should be included in the draft rules. The procedure regarding items for discussion, appropriate documentation to be submitted prior to meetings, length of time for presentations, and public comments were also items that need to be included. It was suggested that items the County does not have jurisdiction over but that the public requests time on the agenda to discuss should be included in the public comment period. Michael will continue to draft rules for further consideration.

ADJOURN :

The meeting was adjourned at 4:00 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
June 13, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 13, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Also Present:

Charles Morris	LEPC/Parks and Recreation/Emergency Mgt.
Maria Twitchell	Tourism
Jared Wilson	Information Technology
Ronald Johnson	Ambulance

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

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

APPROVAL OF MINUTES May 23, 2011 :

Minutes of the Iron County Commission meeting held May 23, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Charles Morris reported on emergency management issues including flooding preparedness and budget issues. He explained that currently there are no major flooding problems in the County. Preparations have been made and the snowmelt has slowed due to cooler temperatures. Preparations have been coordinated with utility companies to help avoid undue damage to infrastructure.

Charlie also reported on Reverse 911. Enterprise is considering withdrawing from the service and going with Washington County. They are also moving their dispatch service to Washington County.

Charlie reported that repairs to the parks and recreation service vehicle has pushed that portion of the budget above the 50% mark for the year. With care, the budget should be sufficient for the remainder of the year.

Maria Twitchell reported that this is the busiest week of the year for the Tourism department due to the Utah Summer Games. Participants are arriving in Cedar City from Utah Idaho and Nevada. Transient Room Tax (TRT) collections are down 9% from 2010 year to date figures. This could be based on winter travel and stays at Brian Head which were lower due to weather problems.

Jared Wilson reported that the Assessor's office is scheduled to go live with the Colorado Software program on July 18. This is a state wide program which will be used by all Counties. Iron County is one of the first using Eagle software to be converted to the new program. Jared also reported that County web sites are being updated to make them more user friendly.

Ron Johnson reported that the Ambulance budget is in line with projections. Unexpected increases in fuel prices has strained the budget but currently is still within projections. Ron also reported that the Ambulance Department is anticipating applying for a grant or loan from the Permanent Community Impact Fund Board to purchase two new ambulances to replace older ambulances in the fleet.

Ron discussed concerns with calls for service to transport psychiatric patients that have no medical problems. He explained that this type of patient could be transported by police which would help in reducing ambulance runs for non critical patients.

Ron also discussed a concern with street signing on the Kane Springs Road in Parowan valley. He explained that this road is used as an addressing grid change from the Parowan grid to the Paragonah grid. This change can cause confusion in emergency responses especially when responders are not familiar with the grid change.

WAIVER OF BUILDING PERMIT FEES FOR PAROWAN CITY :

Cleve Matheson representing Parowan City met with the Commission to request a waiver of building permit fees for the Valentine Peak soccer restroom's and concession building. Dale Brinkerhoff made a motion that the building permit fees be waived as has been done in the past with municipal projects the County is involved in. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

APPROVAL FOR MINOR LOT SUBDIVISION FOR STEVE BYL & PAUL BYL :

Chad Nay presented for approval a proposed minor lot subdivision for Steve Byl and Paul Byl, owners of Dutch Cowboy Dairy with the proposed subdivision located within Section 23, Township 32 South, Range 8 West, SLB&M. The street address is approximately 6331 N West Frontage Rd and I15, Paragonah. The request has been considered by the Planning Commission and they have recommended approval of the minor lot subdivision.

Dale Brinkerhoff made a motion to approve the minor lot subdivision as recommended by the Planning Commission and requested by Steve Byl and Paul Byl. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC HEARING ORDINANCE 2011-5 AMENDING IRON COUNTY CODE :

Dale Brinkerhoff made a motion to convene in a public hearing to receive comments on proposed Ordinance 2011-5 as recommended by the Planning Commission. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Chad Nay presented a proposed amendment to Chapter 17.36 Section 17.36.110 of the Iron County Code to allow multiple story accessory buildings. Chad explained that buildings up to thirty feet high are allowed in all zones. The current code does not allow storied buildings to that height. The Planning Commission has held a public hearing on this proposed amendment and no negative comments were received. The Planning Commission recommended approval.

Wendell Shallenburger questioned the effect the proposal would have on CC&R's within subdivisions. Chad Nay responded that the County does not enforce CC&R's. This is between the developer or home owners association so the ordinance would not affect the CC&R's.

After receiving all public comments, Dan Webster made a motion to close the public hearing. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

ORDINANCE 2011-5 AMENDING IRON COUNTY CODE :

Dale Brinkerhoff made a motion to adopt Ordinance 2011-5 as presented and recommended by the Planning Commission. Second by Dan Webster.

**IRON COUNTY
ORDINANCE NO. 2011-5**

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING THE COUNTY ZONING ORDINANCE CHAPTER 17.36 SECTION 17.36.110, REPEALING CONFLICTING ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County has determined that it is the best interest of Iron County to amend Chapter 17.36 Section 17.36.110 Iron County Code; and

WHEREAS, the Iron County Planning Commission held a duly advertised and noticed public hearing on June 2, 2011, to consider the proposed amendment; and

WHEREAS, the Iron County Planning Commission considered and decided to adopt the

findings of County staff and recommend approval of the proposed amendment; and

WHEREAS, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed amendment; and

WHEREAS, the Iron County Commission finds that Chapter 17.36 Section 17.36.110 Iron County Code, pertaining to amendments to land use regulations, have been properly considered, and concludes that adoption of the amendment is appropriate;

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

SECTION 1. Chapter 17.36 Section 17.36.110 , is hereby amended to read as follows:

“Buildings which are accessory to residential structures may be multiple story buildings erected to a height no greater than thirty-five feet (35).”

SECTION 2. SEVERABILITY.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.


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.

EFFECTIVE DATE: This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208.

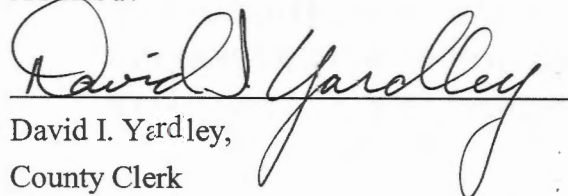
PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 13th day of June, 2011.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 

Alma L. Adams, Chair

ATTEST:


David I. Yardley,
County Clerk



VOTING:

Alma L. Adams Aye
Dale Brinkerhoff Aye
Dan Webster Aye

CEDAR CITY AGREEMENT FOR VISITOR INFORMATION KIOSKS :

Maria Twitchell, Iron County Tourism Director, presented to the Commission a proposed agreement with Cedar City for installation of two information kiosks to be located at the City park at Main and 200 North and the second to be located at the Aquatic Center on Royale Hunte Drive.

The agreement was reviewed by the County Attorney's office. There was a concern with two blanks in the agreement, the effective date and the length of the agreement. In discussions with Cedar City it was approved for an effective date as of today and a term of ten years.

Maria also discussed the clause which specified who has control of what is posted. She explained that the kiosks are not bulletin boards and will have panels that can be changed from time to time. With the County Tourism purchasing and installing the panels, Iron County will retain control of the information posted.

Dan Webster made a motion to approve the agreement effective today and for a period of ten years with a two party sign off on positing information, Maria Twitchell as Iron County representative and a designee from Cedar City. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

BAILIFF CONTRACTS APPROVAL FOR FISCAL YEAR 2012 :

An amendment to the contract with the State of Utah for bailiff coverage for the Courts was presented. The amendment increases the contract amount to allow for an additional part time bailiff to cover all Courts. The contract period is from July 1, 2011 to July 1, 2012. Dan Webster made a motion to approve the contract amendment as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RAP TRAINING :

Colette Eppley presented RAP training for week seventeen, horseplay in the workplace; week eighteen, office safety; and week nineteen, litigation procedure.

PERSONNEL MATTERS :

Colette Eppley presented for approval the new hire of Clint Kelly as a part time Bailiff up to thirty two hours per week and Jake Hoyt as a part time Bailiff up to twenty hours per week. Dan Webster made a motion to approve the hiring of Clint Kelly and Jake Hoyt as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented for approval a list of County Fair Volunteers totaling eighty one people. Dale Brinkerhoff made a motion to approve the Fair Volunteers as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented for approval Alisha Oyler as a County volunteer that will be paid through Workforce Services as a filing clerk in the Sheriff's Office. Dan Webster made a motion to approve Alisha Oyler as a volunteer in the Sheriff's Office. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a proposed temporary promotion of Brad Spencer to Captain in the Jail

during the time Brett Allred is on TDY with the Utah National Guard deployment to Iraq. The temporary promotion would be effective May 30, 2011. Dan Webster made a motion to approve the temporary promotion of Brad Spencer to Jail Captain (Commander) as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A position description for a Lead Building Maintenance Worker position was presented for approval with supervision under the Building Inspection Division. Dale Brinkerhoff made a motion to approve the position description for a Lead Building Maintenance Worker. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A request for a position justification to move a disaster training coordinator to a full time position with benefits was presented. Charlie Morris explained that the current training coordinator is looking for a position with benefits and it would be to Iron County's advantage to keep the current staff that is familiar with the training program. The Commission discussed the hiring freeze that has been established and that there is not budgeted funds for a full time position. Alma Adams made a motion to approve a part time position without benefits funded through grant funds for a Disaster Training Coordinator. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette reported to the Commission that recent decisions for a reduction in force were not formally approved by the Commission. Dan Webster made a motion to approve extending the reduction in force of Reed Erickson from June 15, 2011 to July 11, 2011, to approve the reduction in force of Adam Richins effective March 14, 2011; and the reduction in force of Jan Neth effective June 15, 2011. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette discussed with the Commission the Utah Retirement System Benefit Protection contract for long term disability. Under the system that will take effect July 1, 2011 if Tier 2 employees go on long term disability, Iron County would continue to incur costs for disability payments. She recommended that the County opt out of covering Tier 2 employees for long term disability. The matter will be placed on the next agenda for action.

ANNUAL TAX SALE CERTIFICATION :

Christene Lowder, Chief Deputy Auditor, presented the results of the May 26, 2011 tax sale for approval. She reviewed tax sale results and she reported that the majority of parcels were sold. There were eleven Beryl Townsite parcels struck off to the County along with parcels designated as Campsites. Dale Brinkerhoff made a motion to approve the results of the annual tax sale and to designate the Beryl Townsite lots as surplus County property and authorize their disposal. Campsite properties will not be declared surplus for sale due to the undivided interests in the parcels. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

BOARD OF EQUALIZATION :

Dale Brinkerhoff made a motion to convene as a Board of Equalization to review Market

value of a mobile home owned by Brenda Rodriguez and identified as B172189. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Cindy Bulloch, Iron County Assessor, reported that Brenda Rodriguez purchased a mobile home at a price lower than the Assessor's had valued the property. She requested a reduction in the appraised value to reflect the actual purchase price.

After reviewing comparable values on similar mobile homes Dale Brinkerhoff made a motion to equalize the value at \$8,500. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC HEARING CIB LOAN APPLICATION :

Dale Brinkerhoff made a motion to open a public hearing to receive comments regarding a proposed grant and loan application to the Permanent Community Impact Fund Board (CIB). Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Reed Erickson explained Iron County proposes to apply for grant and or loan funding from the Utah Permanent Community Impact Fund Board (CIB) to construct office space that will be leased to the State of Utah. The proposed loan would be paid from lease payments from the State of Utah through contracts for office space.

The Iron County Sheriff's Office facility currently leases office space to the State of Utah for an Adult Probation and Parole office and a multi-jurisdictional communications and dispatch operations center. Over the years, the Sheriff's Office has experienced growth and is currently in need of this leased space. Iron County and the State of Utah have partnered in discussions that have determined the need for a new Safety Service Building that the County will continue to lease to the state to house the offices currently in the Sheriff's facility, and would also include housing the Iron-Garfield Counties Narcotics Task Force, the Iron County Emergency Management Office and Emergency Operations Center, the Utah Highway Patrol, and the Utah Driver's License division. The proposed project would be constructed on an adjoining parcel of land to the existing Sheriff's office that is currently owned by Iron County.

Wendell Shallenburger questioned the cost of the proposed facility. Reed Erickson stated that costs have not been calculated at this time as the project is just starting the design phase. Cost should be similar to a similar facility constructed in Washington County.

No additional comments were received whereupon Dale Brinkerhoff made a motion to close the public hearing. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC HEARING CIB GRANT APPLICATION - AMBULANCE :

Dale Brinkerhoff made a motion to convene a public hearing to receive comments on a proposal to apply for grant and or loan from the Utah Permanent Community Impact Fund Board (CIB) to purchase two (2) ambulances, one for Western Iron County to be housed at the Beryl Fire Station and one for the Cedar City area. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Ron Johnson explained the need to replace two aging high mileage ambulances. An application for an ambulance for the Beryl area was made through CDBG which was not funded due to prior multi year projects. The area qualifies as one of the lowest average income areas in the State. It is anticipated that the cost for two ambulances would be \$250,000 of which Iron County would fund \$50,000 from existing funds.

Don Young questioned how the Beryl ambulance would be staffed and if it would result in additional ambulance personnel committed from Cedar City.

Ron Johnson explained that the Beryl ambulance is staffed by "on call" EMT's that respond to pages. They are not full time employees.

Wendell Shallenburger commented that in his opinion it is not a good idea to purchase items with grant funds as there are commitments associated and the funding source cannot be relied upon.

After all comments were received, Dale Brinkerhoff made a motion to close the public hearing. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS :

Don Young questioned what effect redistricting would have on Iron County. The Commission explained that it would definitely have an effect on the County. State House and Senate Districts must be equalized along with County School Board Precincts. This can result in changes both at the local as well as the State level.

Wendell Shallenburger commented on representation in the County Commission from the unincorporated areas. The Commission makes decisions that affect the lives of unincorporated residents but most Commissioners are elected from municipalities.

CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

VEHICLE POLICY DISCUSSION :

Reed Erickson reported that he is waiting for comments from the Commissioners to move forward with an amended draft vehicle policy. The matter was tabled to allow the Commission to further review and comment on the draft document.

DRAFT RULES FOR CONDUCTING COUNTY MEETINGS :

Michael Edwards suggested the Commission adopt Rosenberg's Rules of Order, a simplified parliamentary procedure for conducting the County Commission meetings. He explained that this is a variation of Roberts Rules of Order that has been modernized and more closely conforms to the method currently in use.

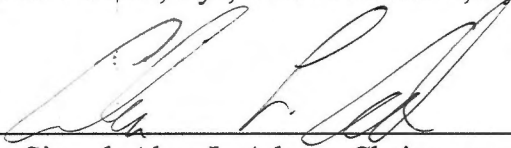
Michael also reviewed a proposed procedure to place items on the agenda for a meeting. He explained that in some Counties, an item must be approved by at least one Commissioner in order to be placed on the agenda. Applicants are also required to submit complete paper work for action requested to allow the Commission adequate time to research the issue.

Public comments would be received but a response is not to be expected or required at that time.

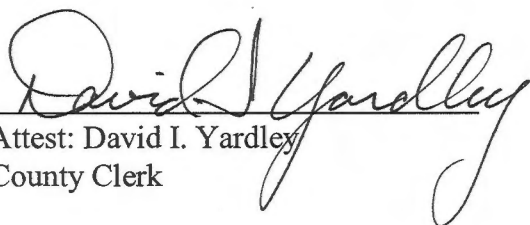
Action was tabled to the next meeting to allow for refining a document for adoption outlining procedure for conducting meetings.

ADJOURN _____ :

The meeting was adjourned at 3:30 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed; Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
June 27, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 27, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk
Reed Erickson	County Administrator

Absent:

Dale M. Brinkerhoff	Commissioner
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Also Present:

SYNOPSIS :

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APPROVAL OF PROPOSED TAX RATE FOR 2011	3
CALENDER SCHEDULE COORDINATION	4
CLOSED SESSION	5
CONDITIONAL USE PERMIT NOTIFICATION	3
IRON COUNTY BUDGET REPORT	2
LONG TERM DISABILITY BENEFIT	4
PERSONNEL MATTERS	3
PLEDGE OF ALLEGIANCE	1
PRAIRIE DOG MATTERS	4
PUBLIC COMMENTS	4
RAP TRAINING	3
REPORTS	1

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Michael Edwards.

APPROVAL OF MINUTES June 13, 2011 :

Minutes of the Iron County Commission meeting held June 13, 2011 were approved as amended on a motion by Dan Webster. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

REPORTS :

Steve Platt reported that spring flooding threats are past for this year. The snow has come off from the mountains and the creeks are receding. Flood control channels worked well allowing high water to pool at Quichapa and Rush Lake in Cedar Valley and the Little Salt Lake in Parowan Valley. Steve also reported that the bridge at Bowery Creek in Parowan canyon is substantially complete. The road is open to Yankee Meadows. There will be additional work on this road this summer.

Jaren Scott reported on solid waste operation including the County Landfill. The Landfill is currently gathering bids to chip wood piles at the Iron Springs and Parowan locations. The material is turned into mulch and is made available at a nominal fee to the public. Jaren also reviewed landfill tonnage comparisons between 2009, 2010, and to current 2011. Household waste is in line with previous years while construction and demolition waste is lower than previous years which shows a decrease in building activity within the County.

Chad Nay reported that building permits were holding steady in comparison to 2010. He also reported on complaints received from residents near construction sites of blowing debris. Some contractors have started having workers police the area and to pick up and dispose of loose debris.

Chad also discussed building maintenance issues. With the change in the duties of the County Administrator's office and with building maintenance supervision being transferred to the Building and Zoning Department, he questioned what his responsibilities were regarding leased space, parking lot maintenance, budgeted items and purchasing of supplies. Reed Erickson responded that parking lot sealing has been sent out for bids. Bids have not been opened or awarded at this time.

Alma Adams requested that Neil Forsyth, Road Supervisor, be excused due to a short work crew and the Road Department is involved with chip sealing this week. Alma reported that fuel prices are currently lower which is helpful with the road budget. Road maintenance is behind on gravel roads due to the late spring and wet conditions.

Alma also reported that the State is considering using LIDAR to scan Cedar Valley and Parowan Valley to identify subsidence zones. A meeting will be held on July 6 at Five County AOG office in St George to explain the project.

Reed Erickson reported that preliminary application has been made to the Permanent Community Impact Fund Board (CIB) to fund a public safety building in Cedar City. It is projected to cost up to \$3,000,000 for the project. The CIB will need a copy of the public hearing minutes for the June 13 Commission meeting. Reed also reported that funding of the SUMA project will be available through June of 2012. Funding will be through a loan at 4% interest.

Dan Webster reported that he had been contacted by David Burton with a request to recognize the service of the local National Guard Unit, 2nd Battalion 222 FA as they have recently been activated for service in Iraq. The last time the unit was activated, the Fair had two or three billboard signs made saluting the 2/222 FA. The matter was referred to Maria Twitchell to determine if funds were available to honor the National Guard.

Dan also read a letter from Sheriff Gower requesting a truck to tow the snow cat for Search and Rescue and to tow the mobile command trailer as needed. He requested a one ton truck with tow package and a diesel engine. The vehicle was not included in the Sheriff Department budget and the request will be considered at a later date.

IRON COUNTY BUDGET REPORT :

Eugene Adams, Iron County Auditor, presented a budget update for revenue and expenditures through the end of May. Collections are ahead of 2010 for this time. Expenditures are in line with budget estimates. Gene explained that due to fuel price increases some vehicle operating budgets were slightly ahead of predictions but were within budgets. He noted that no areas of particular concern were noted.

APPROVAL OF PROPOSED TAX RATE FOR 2011 :

Iron County Auditor, H. Eugene Adams, presented proposed certified tax rates for 2011. He explained that the certified tax rate can fluctuate up or down due to valuation changes. Values have decreased in State assessed properties and in high value homes which will result in a tax shift. Dan Webster made a motion to adopt the Certified Tax Rate as calculated by the State Tax Commission. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

CONDITIONAL USE PERMIT NOTIFICATION :

Chad Nay, County Building and Zoning Administrator, notified the Commission of a request for a conditional use permit for an outdoor recreation area for Robert A. & Jennifer Padilla, located at 602 W 4300 N, Cedar City, within Section 15, Township 35 South, Range 11 West. The parcel is five acres and will be used for a riding and teaching area for youth wanting to ride horses. The request will be considered by the Planning Commission at their July 7 meeting. No action is required by the County Commission.

RAP TRAINING :

Vicki Nelson presented RAP training for weeks twenty and twenty one. Week twenty training discussed substance abuse in the work place and gave some indicators to look for in co workers abusing drugs or alcohol. Week twenty one focused on vehicle pre trip inspections. It pointed out items to note including tires, oil, windshield wipers and other safety items.

PERSONNEL MATTERS :

Vicki Nelson presented for approval a proposed new employee in the Assessor's Office. Stephanie Orton has been selected as a part time Deputy Assessor for the Cedar City office. Dan Webster made a motion to approve the hiring. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

Vicki also presented for approval Thomas Byrd as a part time Animal Control officer in the Sheriff's Department. This is a new position and Mr. Byrd will be assigned to manage the animal shelter at Iron Springs. Dan Webster made a motion to approve the new position and to approve Thomas Byrd as a part time Animal Control officer. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

Vicki presented a status change for Melissa Montiano from a full time temporary employee assigned to the Major Crimes Task Force back to a part time regular employee. Grant funding for the Major Crimes Task Force expired and the temporary positions were eliminated. Dan Webster made a motion to approve the status change as explained. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

Vicki presented two volunteers for approval, James Clark working in the Council on Aging as a meals on wheels volunteer and Courtney Ann Jolley as an Animal Shelter volunteer. Dan Webster made a motion to approve the volunteers. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

Vicki reported that Iron County received a dividend check from Workers Compensation Fund of Utah for \$5,883.52. This is the first dividend check received since returning to Workers Compensation Fund which was transferred from UCIP.

LONG TERM DISABILITY BENEFIT :

Vicki Nelson presented for decision a proposal from the Utah Retirement System a Benefit Protection Contract for Long Term Disability coverage for Tier II employees hired after July 1, 2011. After discussing options, Dan Webster made a motion to opt out of the Tier II Long Term Disability Coverage and to approve coverage at a Tier I rate. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

Vicki also discussed long term disability benefits for volunteer fire fighters injured while on duty as a fire fighter. Dan Webster made a motion to approve a contract to provide coverage for County volunteer fire fighters, specifically in the Newcastle and Beryl Fire Departments. Second by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

PUBLIC COMMENTS :

Don Young commented on mowing of borrow pit areas of roads. He said that he remembered the Road Department starting to mow about this time each year. The Commission explained that road mowing typically occurs later in the summer when the weeds are more mature and will not re grow. Also this allows grass seed to mature which in turn will reseed the shoulder areas to help keep weeds down.

Don Young also commented on a hazardous situation on 1950 South in the Cross Hollow Hills Subdivision. The road is used by young drivers as a jump. By speeding they can get cars airborne for several feet. He suggested speed bumps on each side of the hill to help keep speeds down. The Commission responded that the matter has been studied and currently there is not a feasible solution. The matter will be referred to the County Engineer to explore ways to fix the problem.

CALENDER SCHEDULE COORDINATION :

Reed Erickson coordinated calendars with the Commissioners until the next Commission meeting.

PRAIRIE DOG MATTERS :

Reed Erickson reported that translocation sites at Little Horse Valley and Wild Pea Hollow are being studied to determine what improvements need to be completed to enhance the habitat for prairie dogs. The project will partner with SITLA and the BLM in making improvements.

John Tanner, a representative from Senator Hatch's office commented that he has studied the endangered species act which requires that economic impact be calculated in considering

listing a species for protection. The problem is in quantifying losses caused by failed sales of real estate, businesses choosing not to expand into the area or other factors which are hard to define.

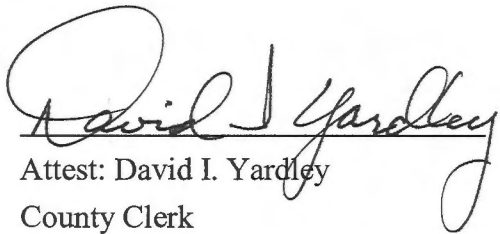
CLOSED SESSION :

Dan Webster made a motion to convene in closed session for the purpose of discussing the character, professional competence, or physical or mental health of an individual. Second by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.

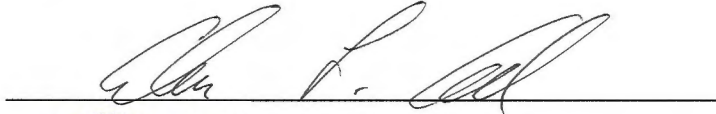
STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Alma L. Adams, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Closed Meeting 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 27th day of June, 2011.


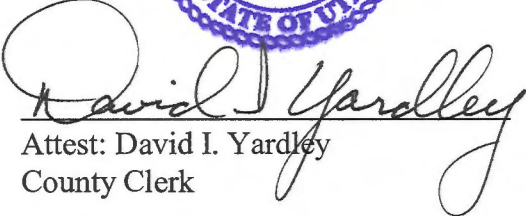

Attest: David I. Yardley
County Clerk





Signed: Alma L. Adams, Chairman

ADJOURN :

The meeting was adjourned at 12:25 p.m. on a motion by Dan Webster. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye.



Attest: David I. Yardley
County Clerk


Signed: Alma L. Adams, Chairman

IRON COUNTY COMMISSION MEETING
July 26, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 26, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Cindy W. Bulloch	County Assessor
Geraldine S. Norwood	County Treasurer
Deborah B. Johnson	County Recorder
H. Eugene Adams	County Auditor

SYNOPSIS :

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APPROVAL OF MINUTES July 11, 2011	1
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PERSONNEL MATTERS	4
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RAP TRAINING	4
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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Cindy Bulloch.

APPROVAL OF MINUTES July 11, 2011 :

Minutes of the Iron County Commission meeting held July 11, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Cindy Bulloch reported that she had attended a meeting at UAC regarding the statewide assessing and collecting tax. Several Wasatch front Counties are unhappy with being contributing Counties while rural areas become receiving Counties. The larger Counties feel it is unfair to tax their property owners to support other areas. The matter will be studied by a committee and will be discussed further in UACCC meetings.

Cindy also reported that the Colorado Software mass appraisal program has been installed

and staff is training on the new software. Iron and Millard Counties are now on the system. There are still a few data conversion problems that need to be corrected but the developers are working though those problems.

Cindy also asked about progress on the County Vehicle policy. The Commission requested that Departments submit comments to the Commission and Reed Erickson. The comments will be considered and a final draft prepared for Commission approval at a future Commission meeting.

Debbie Johnson reported that recordings volume is down compared to previous years. Default filings are also down from previous years. Debbie thanked her staff for the support and work they do in keeping the office functioning during a time when some of the staff has been absent due to illness.

Geri Norwood reported that ANB Ventures LLC is paying off delinquent taxes at an accelerated rate. Their last payment included an additional \$20,000 which is from funds committed to Washington County. SCI submitted a payment upon which the check bounced. They have since brought their payments current.

Geri also reported on results of the annual tax sale. Twenty six parcels were struck off to the County including campsites which are very small undivided shares.

Eugene Adams reported that valuation notices are being mailed this week. This will start the process of Board of Equalization applications and a temporary employee will start in his office to work through the BOE process.

Michael Edwards questioned how the County wanted to handle bounced checks on properties on a payment plan for delinquent taxes. The Commission requested the County Attorney's office to draft a letter requesting funds to be immediately paid with certified funds i.e. cashiers check or credit card.

David Yardley reported that Municipal elections are moving ahead. Cedar City and Parowan will be holding primary elections. The other cities do not require a primary. Brian Head and Paragonah may not be required to hold an election if additional candidates do not file as write in candidates.

Dan Webster reported that the County Fair planning is moving forward. Improvements have been completed which will enhance major events including the rodeo, demolition derby, mud bogs, and horse races. The sound system upgrade should eliminate dead spots where the old system made it hard to hear.

Dan also received a letter commenting on the excellent care officer Doug Twitchell provided to stranded motorists. The motorists said that he went well beyond the call of duty in providing assistance.

Dale Brinkerhoff discussed landfill hours during the 24th of July holiday weekend. Several residents expressed concern that the landfill was closed on Saturday, a day it is normally open and open Monday, a day designated as a state holiday.

Dale also discussed tree trimming at the Summit Park. David Yardley presented results

of price quotes for the work. Dale Brinkerhoff made a motion to approve the low estimate submitted by A-OK Tree Service. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Alma Adams reported on progress with RS 2477 road designation the Facilitator to coordinate negotiations has been changed to Alan Matheson Jr. Negotiations appear to be progressing toward a final resolution.

IRON COUNTY BUDGET REPORT _____ :

Iron County Auditor, H. Eugene Adams, presented an overtime report which shows overtime at a steady rate through June. Highest Departments are the Sheriff and Jail. Gene also reported that through June accounts receivable were 3.43% above 2010 levels. This will help if the trend continues to meet budget expectations.

CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT :

Scott Wilson met with the Commission to update efforts by CICWCD to annex Rainbow Meadows Ranchos into the District or in the alternative to provide water service. He explained that the District could not provide service out of their boundary and that Rainbow Ranchos is not contiguous with their current boundary. In order to annex the area of Rainbow Meadows Ranchos the County Commission would be required to approve an annexation.

Dale Brinkerhoff pointed out that Rainbow Meadows Ranchos is in the Mammoth Creek drainage and the water eventually flows to Delta. This makes transferring water rights difficult and appears to not be beneficial to Iron County.

Scott suggested that Iron County use funds from the Municipal Service tax fund a feasibility study and to develop a master plan for a water system. The Commission explained that this was not an agenda item and that this is not the purpose of the MST fund. No action was taken by the Commission at this time.

Scott also reported that the District will be seeking a wellhead protection area for their Derby well. He also reported on a study of a "pump back system" to return excess runoff from the Quichapa lake are back to a source where it can be infused into the aquifer instead of evaporating. This proposal is in the study stage so no conclusions can be made at this time.

BOOKMOBILE CONTRACT DISCUSSION AND ACTION _____ :

The bookmobile contract for FY 2011-2012 was recalled from a previous meeting for action. April DeGroff representing the Bookmobile Board explained the service provided by the bookmobile. Dale Brinkerhoff questioned the need for the bookmobile within Cities where a library is located. This includes Cedar City, Enoch and Parowan.

Cindy Bulloch stated that in the rural areas the Bookmobile provides a service that would be unavailable to residents, especially youth and elderly people that do not drive. Steve Decker, Cedar City librarian and Kristin Robinson, Parowan City librarian expressed support of the bookmobile program stating that the bookmobile compliments the service they provide.

Dale Brinkerhoff made a motion to approve the Bookmobile contract for FY 2011-2012. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RAP TRAINING :

Colette Eppley presented RAP training for weeks twenty four and twenty five. Week twenty four training was ergonomic training especially with posture, keyboard position and avoiding stress related injury in the work place.

Week twenty five training explained blood borne pathogen training pointing out steps to be taken to avoid being infected with a blood borne pathogen. The training included training on using protective equipment and Colette encouraged Departments to have a blood borne pathogen kit available for emergencies.

PERSONNEL MATTERS :

Colette presented a position justification for a part time Visitor Center Receptionist as a replacement for a vacant position. The receptionist would work weekends to allow the Visitor Center to accommodate the traveling public. Dan Webster made a motion to approve the position justification for a part time Visitor Center Receptionist. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented for approval Richard Driggers as a volunteer at the animal shelter. Dale Brinkerhoff made a motion to approve Richard Driggers as a volunteer. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a reduction in force proposal for a part time Parks and Recreation maintenance position. The person involved with the RIF is William "Bill" Nicks. The position is being replaced with a contract service. Dale Brinkerhoff made a motion to approve the RIF of a part time Parks and Recreation maintenance position. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS :

Don Young commented that funding of a water master plan at Rainbow Meadows Ranchos is not a legitimate use of Municipal Service Funds. The study should be paid by residents or property owners receiving the services and benefits from the plan. He noted that there are multiple small water companies within the County that could benefit from such funding but this is not the intended purpose of the tax.

Wendell Shallenburger commented that the County should not be pursuing additional bonds to finance projects such as SUMA and office building bonds. He recommended that funds be collected and dedicated prior to the start of projects.

CLARIFICATION OF COMMISSION MEETING PROCEDURES :

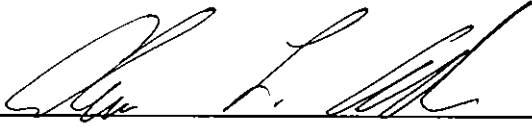
The Commission reviewed the policy adopted at the last meeting regarding placing items on the Commission agenda. All agenda items are to be submitted to the County Clerk's office no later than the Monday preceding the scheduled Commission meeting. All agenda requests shall be accompanied with all pertinent documentation. Non County Department applications shall have the approval of at least one Commissioner to be added to the agenda. No late agenda items will be considered. This will allow time to put packets together and to allow the County Attorney's office to review items that will be considered.

JANITORIAL SERVICE AT WOODS RANCH AND THREE PEAKS :

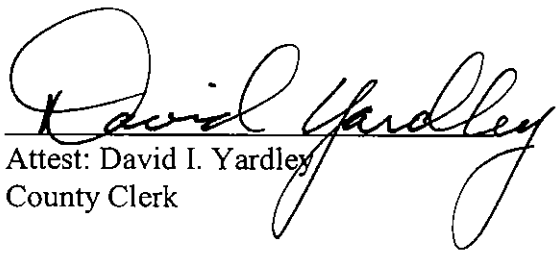
A contract for Janitorial service at Woods Ranch and Three Peaks recreation areas was presented for approval. Crystal Clean Janitorial submitted the low bid and are ready to start August 1. Michael Edwards stated that the contract needs to contain language that requires the use of E Verify to make sure employees of Crystal Clean are legal residents of the United States. Dale Brinkerhoff made a motion to approve the contract with Crystal Clean with the amendment to add E Verify. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

ADJOURN _____ :

The meeting was adjourned at 1:00 p.m. on a motion by Dan Webster. Second was by Alma Adams. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Absent.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



**IRON COUNTY COMMISSION MEETING
July 11, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 11, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Dennis Johnson	County TV Director
Ryan Riddle	County Fire Marshall
Joyce Evans	County Fair Chairperson

SYNOPSIS :

ADJOURN 7

APPROVAL OF RULES FOR CONDUCTING COUNTY MEETINGS 2

APPROVAL OF BOOKMOBILE MEMORANDUM AGREEMENT 3

APPROVAL OF MINUTES June 27, 2011 1

CLOSED MEETING 5

DISCUSSION & PLANNING SESSION WITH IRON COUNTY ELECTED OFFICIALS ... 5

DISCUSSION OF POSSIBLE NEWS RELEASES RE COUNTY OPERATIONS 6

IMPROVEMENT DISCUSSION FOR PROPERTY IN SUMMIT 3

PERSONNEL MATTERS 4

PLEDGE OF ALLEGIANCE 1

PRAIRIE DOG MATTERS 6

PUBLIC COMMENTS 5

RAP TRAINING 3

REPORTS 1

PLEDGE OF ALLEGIANCE :

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

APPROVAL OF MINUTES June 27, 2011 :

Minutes of the Iron County Commission meeting held June 27, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Dennis Johnson, Television Technician, reported that changes in the TV spectrum due to reductions in band widths is nearing completion. There are still some analog channels operating in Cedar City, Beryl and Kanarraville. There is a proposal to further reduce band width by the FCC which will force more site to site transmission of signals to be done by microwave.

Ryan Riddle, Fire Warden, presented a fire report for 2010. He explained that fire numbers were down from 2009 and fires on private acreage was also down. The larger wild fires

were located on BLM or Forest Service lands. Ryan also reported on training local fire departments are receiving including advanced wildland fire and twenty eight EMT's received and passed basic wildland fire training.

Ryan also discussed his desire to attend POST to become certified as a law enforcement officer. This will allow additional resources in investigating and citing individuals for illegally burning.

Joyce Evans, Fair Chairperson, explained that the 2011 Iron County Fair theme is "A Family Tradition". She also reported on fairgrounds improvements completed this year. These included burying an overhead power line, upgrading electrical service, moving the rodeo bucking chutes, and installing an additional fifty feet of spectator bleachers. Upgrades to the sound system are being done to overcome dead spots and directional problems. The announcer stand at the rodeo arena will be scheduled for upgrade and move during the 2012 year.

Joyce also discussed the Miss Iron County Pageant and the Miss Iron County Rodeo Pageant. The two pageants will be held on August 13.

Dale Brinkerhoff requested that David Yardley prepare a letter to Mayors of all County municipalities explaining the changes made in the County Planner office and inviting them to participate in funding and utilizing the County Planner.

Dale also discussed funding options for the Southern Utah Museum of Art (SUMA) and whether to move forward with bonding for the Iron County pledge. In meetings with SUU personnel it appears that fund raising for the facility from students and the public are behind schedule. It does not appear likely that ground breaking will be held as scheduled. Dale recommended that the County postpone bonding and financing commitment to the end of the project.

Alma Adams reported that he attended a meeting regarding the corridor for construction and operation of the TransWest transmission line from Wyoming to California. The Commission agreed that the preferred alternative is to stay within the existing corridor and parallel the IPP line. The Commission recommended that a joint resolution with Beaver and Washington Counties be drafted to support locating the line within the existing corridor.

APPROVAL OF RULES FOR CONDUCTING COUNTY MEETINGS :

Michael Edwards presented a final draft of proposed rules for conducting County meetings. After reviewing the document, Dan Webster made a motion to adopt the following rules as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY COMMISSION MEETING PROCEDURE

The Iron County Commission will conduct all meetings in accordance with the Open and Public Meeting Act, UTAH CODE ANN § 52-4-101 *et seq.*

The Commission adopts the Rosenberg Simplified Rules of Order and will conduct meetings in accordance with those rules.

Citizen Participation

The County Commission encourages and appreciates citizen participation and input during Commission meetings at the appropriate time. The Public Comment portion on the agenda gives the public an opportunity to address the Commission on any item, relating to County business, which is not on the printed agenda. The Commission will receive the Public Comment, however, the Commission is not expected to provide comment or answers to the various issues which any member of the public may provide.

Individuals who intend to address the Commission during the Public Comment portion of the agenda should come to the podium or microphone, clearly speak and state their name and locality of residence for the official record. Be specific when discussing the issue or concern, limit comments to no more than two minutes, and avoid repeating the same comments on the same issue that other individuals have already presented.

Agenda Item Request

An individual wishing to have an item placed on the official agenda must complete the Agenda Application form and return it with all associated documentation to the office of the County Clerk by the Monday prior to the Commission meeting. A proposed agenda item submitted by a member of the public will be forwarded to the County Commissioners and must be sponsored by at least one commissioner in order to be placed upon the Commission agenda. This procedure enables the Commissioners to be more prepared to address the issue during the meeting.

Adopted: July 11, 2011.

IMPROVEMENT DISCUSSION FOR PROPERTY IN SUMMIT :

Jack Hayes, a resident of Summit, met with the Commission to request authorization to move the playground equipment at the Summit park to make it more accessible to people using the park. He also requested that trees surrounding the park be trimmed and that port a potties be placed at the park during the summer.

The Commission authorized David Yardley to gather estimates on trimming of the trees around the park and to order port a potties for the remainder of July and August. They also authorized moving of the playground equipment by Summit residents if an appropriate place can be located. The Road Department will be contacted to mow the weeds one time if needed.

APPROVAL OF BOOKMOBILE MEMORANDUM AGREEMENT :

A memorandum agreement for operation of the Bookmobile in Iron County was presented for approval. After reviewing the agreement and absent a representative from the Bookmobile, the matter was tabled to allow additional information to be gathered regarding circulation numbers and service areas. The matter will be placed on the next agenda for action.

RAP TRAINING :

Colette Eppley presented RAP training for weeks twenty two and twenty three. Week twenty two training discussed fire training and escape routes from work areas. It also discussed the need to conduct fire drills and to discuss accounting for personnel in case of fire. It was

noted that the Courthouse does not have a fire alarm system or sprinkler system. This is a project that needs to be looked at to determine if it is feasible to retrofit the building.

Week twenty three training included fire extinguisher training. Fire personnel will be contacted to determine if hands on training can be conducted by County personnel.

PERSONNEL MATTERS _____ :

Colette presented a position justification for a new County Planner/Special Service Coordinator. The position will include planning, prairie dog issues, and some budgeting. Dan Webster made a motion to approve the position justification for a County Planner/Special Service Coordinator. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette also presented a position justification for a Master Mechanic position. The position would be at the Landfill and would entail major mechanical ability and training. Dale Brinkerhoff made a motion to approve the Master Mechanic position justification. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a position description for a County Planner/Special Service Coordinator with a proposed grade of 21. She also presented a position description for a Master Mechanic position. Dan Webster made a motion to approve the position descriptions as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A request to promote Jake Hawkins to the position of Master Mechanic was approved on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a proposal to hire Reed Erickson as a County Planner/Special Service Coordinator at grade 21 to replace contract employee Todd Stowell with no change in budget for the Planner position. The County Planner/Special Service Coordinator will be under the supervision of the Zoning Administrator Building Inspection Department. Dale Brinkerhoff made a motion to approve the hiring of Reed Erickson as a County Planner/Special Service Coordinator. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented Teresa Caldwell for approval as a seasonal Board of Equalization Assistant in the Auditor's office. Dale Brinkerhoff made a motion to approve Teresa Caldwell as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented for approval Charles Wein as a Council on Aging meals on wheels volunteer and Dallen Christensen as a volunteer fireman in Newcastle. Dale Brinkerhoff made a motion to approve the volunteers as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette reported that one of the prairie dog technicians has resigned from their temporary position. Because this is in the middle of trapping and relocating activities a replacement needs to be selected. This will be placed on the agenda for approval as soon as a replacement has been selected.

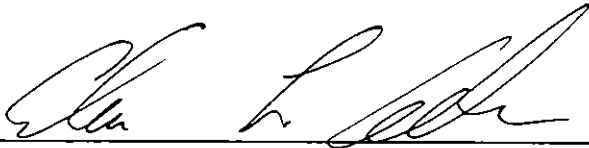
CLOSED MEETING _____ :

Dan Webster made a motion to convene in closed session for the purpose of discussing the character, professional competence, or physical or mental health of an individual. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

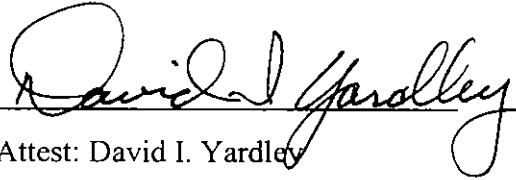
STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Alma L. Adams, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Closed Meeting 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 11th day of July, 2011.



Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



PUBLIC COMMENTS _____ :

Allen Nielsen commented that it appears that with the recession it appears that County is conducting business as usual. Although the County has announced a hiring freeze, there are still people being hired and new positions being created. He cited the hiring of Reed Erickson as a County Planner/ Special Service Coordinator. He further commented that during the recession the County should be cutting back on services and funding requests.

The Commission responded that it had just approved funding of a citizen request to fund park improvements in Summit at the request of Mr. Nielsen and Mr. Hayes.

DISCUSSION & PLANNING SESSION WITH IRON COUNTY ELECTED OFFICIALS:

The Commission met with County elected officials to discuss concerns and progress in the County. Alma Adams commented on the success of County facility clean up day and budget trends in the County. At the present time the County is within the expected budget for this time of year and collection of funds is ahead of projections.

Alma also reported that Reed Erickson's position as County Administrator was eliminated through a RIF and he was rehired as a County Planner/Special Service Coordinator. Todd Stowell, a Circuit Planner with Five County AOG will not be working in Iron County as the agreement with Five County AOG was terminated on June 30.

Dan Webster thanked Departments for the work they do and by monitoring their budgets carefully to avoid cost over runs. He also explained that due to the recession and poor national economy that it does not appear likely there will be salary increases for County employees in 2012.

Dale Brinkerhoff discussed cell phone usage and the costs incurred in the County. He requested Departments to look at County cell phone usage to determine if there are areas that can be cut. He also suggested that non elected Department Supervisors be invited to this type of staff meeting semi annually.

Debbie Johnson questioned where the County is in the Courthouse painting project. It appears that non office areas have been painted but the office areas seem to be stalled. Debbie also questioned where the County is in adopting a vehicle policy. The policy was presented and several areas that were recommended for changes were submitted but the policy has never been amended and submitted to Departments for comments.

The Commission responded that the painting project has been referred to Jim Hignite and he will schedule painting as maintenance time allows. The vehicle policy has been reviewed by the Commission and several draft changes have been made. Reed Erickson is still working on the policy and will be e mailing to Departments for comments.

Cindy Bulloch commented that she would be attending a meeting regarding assessing and collection sponsored by UAC on July 13. Several Wasatch Front Counties would like to change the current policy which could have major budgetary implications on Iron County. She also reported that the Assessor's office will be conducting a green belt audit this summer to determine if green belt properties are in fact being used for agricultural production as required.

PRAIRIE DOG MATTERS _____ :

Alma Adams reported on prairie dog trapping issues and the failure of DWR to relocate problem prairie dogs to other sites. Problems include Equestrian Pointe, Parowan Airport, Cedar City golf course and the Paragonah cemetery.

Dan Webster reported that in a meeting with area officials including Representative Mike Noel, that a proposal to sue the Federal Government over implementation of the endangered species act. They requested the County pledge \$10,000 toward the cost of litigation and a similar request will be presented to UAC with a request for all Utah Counties to donate to the litigation fund.

Dan Webster made a motion to authorize a pledge of \$10,000 toward the prairie dog/ endangered species litigation to be funded from the County general fund. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Connie Robinson, Paragonah Mayor, met with the Commission to question the operation of the UPDRIP committee and she requested that the County should consider withdrawing from UPDRIP as a non functioning and unresponsive agency.

The Commission explained the purpose of the UPDRIP committee and that it is the opinion of the Commission that it is functioning as it was designed and has the support of State, Local and Federal participants.

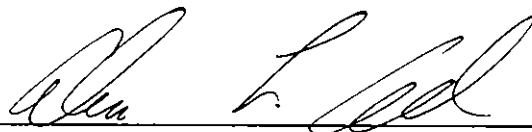
DISCUSSION OF POSSIBLE NEWS RELEASES RE COUNTY OPERATIONS:

Dan Webster discussed a proposal to have Departments draft a short news release on Department activities which could be submitted to the newspapers for publication. The purpose would be to let the public know what the County is engaged in. This could be similar to

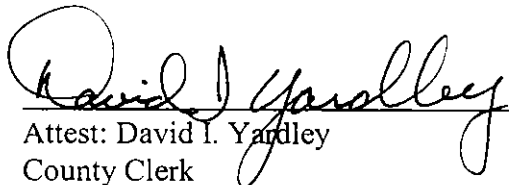
reports currently being given on a quarterly basis at Commission meeting. Department supervisors expressed support and recommended that the County public relations specialist, Bonnie Oldroyd coordinate press releases.

ADJOURN _____ :

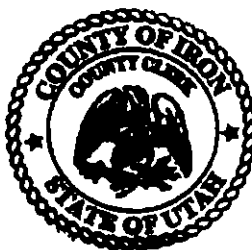
The meeting was adjourned at 3:05 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk





Citizen Participation

The County Commission encourages and appreciates citizen participation and input during Commission meetings at the appropriate time. The Public Comment portion on the agenda gives the public an opportunity to address the Commission on any item, relating to County business, which is not on the printed agenda. The Commission will receive the Public Comment, however, the Commission is not expected to provide comment or answers to the various issues which any member of the public may provide.

Individuals who intend to address the Commission during the Public Comment portion of the agenda should come to the podium or microphone, clearly speak and state their name and locality of residence for the official record. Be specific when discussing the issue or concern, limit comments to no more than two minutes, and avoid repeating the same comments on the same issue that other individuals have already presented.

Agenda Item Request

An individual wishing to have an item placed on the official agenda must complete the Agenda Application form and return it with all associated documentation to the office of the County Clerk by the Monday prior to the Commission meeting. A proposed agenda item submitted by a member of the public will be forwarded to the County Commissioners and must be sponsored by at least one commissioner in order to be placed upon the Commission agenda. This procedure enables the Commissioners to be more prepared to address the issue during the meeting.

Adopted: July 11, 2011.

IMPROVEMENT DISCUSSION FOR PROPERTY IN SUMMIT :

Jack Hayes, a resident of Summit, met with the Commission to request authorization to move the playground equipment at the Summit park to make it more accessible to people using the park. He also requested that trees surrounding the park be trimmed and that port a potties be placed at the park during the summer.

The Commission authorized David Yardley to gather estimates on trimming of the trees around the park and to order port a potties for the remainder of July and August. They also authorized moving of the playground equipment by Summit residents if an appropriate place can be located. The Road Department will be contacted to mow the weeds one time if needed.

APPROVAL OF BOOKMOBILE MEMORANDUM AGREEMENT :

A memorandum agreement for operation of the Bookmobile in Iron County was presented for approval. After reviewing the agreement and absent a representative from the Bookmobile, the matter was tabled to allow additional information to be gathered regarding circulation numbers and service areas. The matter will be placed on the next agenda for action.

RAP TRAINING :

Colette Eppley presented RAP training for weeks twenty two and twenty three. Week twenty two training discussed fire training and escape routes from work areas. It also discussed the need to conduct fire drills and to discuss accounting for personnel in case of fire. It was

noted that the Courthouse does not have a fire alarm system or sprinkler system. This is a project that needs to be looked at to determine if it is feasible to retrofit the building.

Week twenty three training included fire extinguisher training. Fire personnel will be contacted to determine if hands on training can be conducted by County personnel.

PERSONNEL MATTERS :

Colette presented a position justification for a new County Planner/Special Service Coordinator. The position will include planning, prairie dog issues, and some budgeting. Dan Webster made a motion to approve the position justification for a County Planner/Special Service Coordinator. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette also presented a position justification for a Master Mechanic position. The position would be at the Landfill and would entail major mechanical ability and training. Dale Brinkerhoff made a motion to approve the Master Mechanic position justification. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a position description for a County Planner/Special Service Coordinator with a proposed grade of 21. She also presented a position description for a Master Mechanic position. Dan Webster made a motion to approve the position descriptions as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

A request to promote Jake Hawkins to the position of Master Mechanic was approved on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a proposal to hire Reed Erickson as a County Planner/Special Service Coordinator at grade 21 to replace contract employee Todd Stowell with no change in budget for the Planner position. The a County Planner/Special Service Coordinator will be under the supervision of the Zoning Administrator Building Inspection Department. Dale Brinkerhoff made a motion to approve the hiring of Reed Erickson as a County Planner/Special Service Coordinator. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented Teresa Caldwell for approval as a seasonal Board of Equalization Assistant in the Auditor's office. Dale Brinkerhoff made a motion to approve Teresa Caldwell as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented for approval Charles Wein as a Council on Aging meals on wheels volunteer and Dallen Christensen as a volunteer fireman in Newcastle. Dale Brinkerhoff made a motion to approve the volunteers as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette reported that one of the prairie dog technicians has resigned from their temporary position. Because this is in the middle of trapping and relocating activities a replacement needs to be selected. This will be placed on the agenda for approval as soon as a replacement has been selected.

IRON COUNTY COMMISSION MEETING
August 8, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. August 8, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Scott F. Garrett	County Attorney
Brad Spencer	Jail Commander

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Scott Garrett.

APPROVAL OF MINUTES July 26, 2011 :

Minutes of the Iron County Commission meeting held July 26, 2011 were approved as amended on a motion by Dan Webster. Second was by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Scott Garrett reported that the Attorney budget is in line with projections. With 50% of the year gone they have expended 49.98% of their budget. Scott also discussed case loads in the Attorney's office. Cases involving theft and fraud are up this year which is predictable with the economy. He also noted that the District Court has only one judge serving in Iron County which has caused a major back log in cases being brought to trial.

Scott reported that the lawsuit filed by property owners adjacent to Quichapa lake has been dismissed by the courts in favor of Iron County, Cedar City and the State of Utah.

Brad Spencer, Jail Commander, reported that they are working to reduce over time shifts by hiring former employees as reserve staff that are trained and certified by POST. He also reported that they have completed changing light fixtures with energy efficient fixtures. It is estimated that savings on electrical bills will offset the cost of installation within one year.

David Yardley reported that the Clerk's office is moving forward with preparations for the municipal primary election for Cedar City and Parowan scheduled for September 13.

Dale Brinkerhoff outlined meetings scheduled for this week which include Five County AOG, Mental Health and Public Health. Dale also asked that the Vehicle Policy be placed on the next agenda for consideration. He explained that the policy has been distributed for comments and some comments have been returned. A final draft with recommendations and amendments has not been completed and distributed by Reed Erickson who is working on the draft.

Dan Webster reported on fire activity in Iron County. The Wrangler fire consumed approximately 8,500 acres in the Badger Peak area. A small fire near Three Peaks was also located and extinguished. Dan also reported that the Ambulance Department was awarded a grant for one ambulance and the second ambulance to be financed at 0% interest by the Permanent Community Impact Board (CIB). The Safety Service building funding request was tabled by the CIB for additional information regarding leases that will be funding the repayment of this loan. This will be recalled at the October meeting.

Alma Adams reported that the County has received a request to participate in the Family Day Proclamation again this year. This is designated as the fourth Monday in September as a day to eat dinner with your family. The program is to bring awareness to drug and alcohol abuse and its effect on families. The proclamation will be placed on the next agenda for approval.

APPROVAL OF CREDIT CARD MACHINE :

Maria Twitchell, Tourism Director, met with the Commission to request authorization to install a credit card machine at the Visitor Center in Cedar City. She explained that the public relies on credit or debit cards while on vacation and sometimes do not have cash to purchase items from the gift shop. She also stated that this will allow for display of higher end items such as artwork or crafts.

Dan Webster made a motion to approve the installation of a credit card machine as requested. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

AMENDMENT TO THE IRON COUNTY BUDGET FOR THE YEAR 2011:

H. Eugene Adams, Iron County Auditor, presented proposed amendments to the 2011 budget. These included changes authorized at previous Commission meetings since the budget was adopted in December 2011 including equipment purchases and personnel upgrades.

The following resolution was presented and adopted on a motion by Dale Brinkerhoff. Second by Dan Webster.

RESOLUTION 2011-6

A RESOLUTION OF THE IRON COUNTY COMMISSION APPROVING AN

AMENDMENT TO THE 2010 IRON COUNTY BUDGET

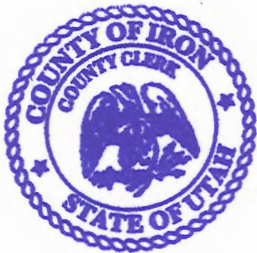
WHEREAS, the Iron County Commission has approved expenditures which were not included in the budget adopted December 20, 2010; and

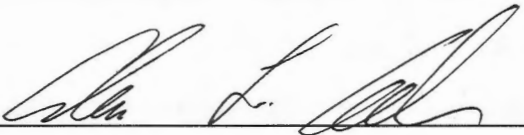
WHEREAS, Iron County has received funds from sources including grants which were not anticipated in the original 2011 budget; now therefore

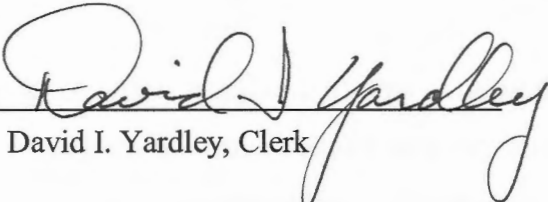
BE IT RESOLVED that the 2011 budget of Iron County hereby amended the following funds by the amount indicated:

	2011 Approved Budget	Proposed Amendment	Increase
General Fund	\$ 14,877,250	\$ 14,913,110	\$ 35,860
Fair	\$ 151,750	\$ 222,250	\$ 70,500
Municipal Service Fund	\$ 5,568,533	\$ 5,611,033	\$ 42,500
Ambulance Fund	\$ 1,715,000	\$ 1,791,622	\$ 76,622
Total Change			<u>\$ 225,482</u>

BY ORDER OF the Board of Iron County Commissioners this 8th day of August, 2011.




Signed: Alma L. Adams, Chair

Attest: 
David I. Yardley, Clerk

Voting:

- Alma L. Adams Aye
- Dale M. Brinkerhoff Aye
- Dan L. Webster Aye

CHANGES TO TRAP RANGE LEASE AGREEMENT _____ :

Douglas M. Hansen and Frank McNabb representing the Cedar City Trap Club, discussed proposed changes in the configuration of their facility on Kitty Hawk Dr in Cedar City. The Forest Service is expanding their facility next door which will require the elimination of one trap house due to angles of shots and shot fall zones. They are proposing to relocate one trap house onto Search and Rescue property and may impact the shot fall zone on County property. The trap club also requested the ability to mine the expended shot from the fall zone located on County property.

The Commission requested that an amended use agreement be drafted with the addition

of Search and Rescue as a signatory. The Commission did not approve the mining of the expended shot on County property because it would open the area up to provide for prairie dogs.

BERYL FIRE STATION IMPROVEMENT DISCUSSION :

Dale Brinkerhoff recommended that improvements to the Beryl Fire Station for extending the roof line three feet, re-roofing with Thermoplastic PolyOlefin (TPO), add the extended warranty to a twenty year warranty, repair sheet rock and interior damage, and add an exhaust system. He explained that these repairs should cure the water damage problem for many years and is the most cost effective solution.

A motion was made by Dale Brinkerhoff to approve the bid of SMJ for the sheet rock and roof repair, Stout Roofing for installation of the TPO roofing, and to award the bid to the low bid for the exhaust system. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RAP TRAINING :

Colette Eppley presented RAP training for weeks twenty six and twenty seven. Week twenty six training was a review of training to this point. Our goal was to reduce incidents by 30%. Workers comp claims are significantly down over last year at this time. Auto accidents have been reduced in severity. Multi line claims are currently running about the same as a year ago, however, the incidents upon which claims have been filed may have occurred prior to the start of the RAP program.

Week twenty seven training reviewed expectations and commitments to the RAP program. Most County Departments are continuing the training and our goal is to provide a safe work environment, eliminate hazards and reduce risk.

PERSONNEL MATTERS :

Colette Eppley presented a position justification to replace the Center Activities Director at the Parowan Senior Center. This is a replacement position vacated when the prior Director resigned. Dan Webster made a motion to approve the position justification and authorize advertising this position. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a request for new employee approval for the following personnel in the Ambulance Department: as a part time Paramedic: Chris McGinnis, and as EMT Basic: Crystal Malone, Daniel Robinson, Jake Fausett, Amanda Weller. Dale Brinkerhoff made a motion to approve the new employees as presented noting that no new positions are being created. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a request from the Tourism and Convention Department to approve replacement of a part time receptionist for weekends at the Visitor Center. Dale Brinkerhoff made a motion to approve the replacement as requested. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a status change request for Charles Crosby and Matthew Mellor to be placed on an on call status at the Jail. The two employees have left full time employment at the

Jail on good terms and will be used to fill overtime shifts. Dan Webster made a motion to approve the status change for Charles Crosby and Matthew Mellor as requested. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a late request submitted by Adam Kavalunas to replace an animal technician to work with Prairie Dogs. Since it is late in the trapping and relocating season, Dale Brinkerhoff made a motion to approve the hiring as a full time seasonal animal control worker, Jennifer Hunt. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye. The Commission reminded Colette and requested it be passed on to Department Supervisors that "failure to plan on your part does not create an emergency on our part." Requests for action to the Commission are to be made in a timely manner.

Colette also requested clarification on volunteer approvals. She requested that as volunteers that the Human Resource Supervisor and the Commission Chair be authorized to approve as there are no payroll implications. A report will be given to the full Commission of volunteer approvals. Dan Webster made a motion to allow the Commission Chair and the Human Resource Supervisor to approve volunteers. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS :

Ron Johnson, Ambulance Supervisor reported to the Commission on results of the CIB funding meeting held in Salt Lake last week. Two ambulances were approved, one with grant funds and the second at a 0% interest rate. The matter will be placed on the agenda as an action item at the next Commission meeting.

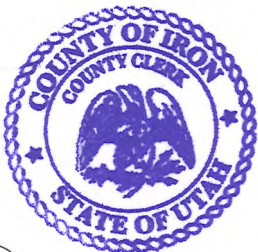
Joyce Evans, Fair Manager presented a fair hat and tee shirt to the Commissioners. The theme of the fair this year is "Iron County Fair, A Family Tradition". The Commission was invited to attend all of the fair activities.

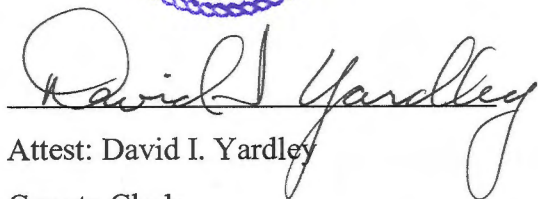
PRAIRIE DOG MATTERS :


The Commission noted that a prairie dog take request for a lot in the Equestrian Pointe Subdivision was withdrawn by the applicants. The request will be submitted at a later date.

ADJOURN :

The meeting was adjourned at 12:00 Noon on a motion by Dan Webster. Second was by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.




Attest: David I. Yardley
County Clerk


Signed: Alma L. Adams, Chairman

**IRON COUNTY COMMISSION MEETING
September 12, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 12, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Maria Twitchell	Tourism Director
Charles Morris	Parks/Rec/Emergency Management
Jared Wilson	Information Technology Director
Ronald Johnson	Ambulance Director

SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

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

APPROVAL OF MINUTES August 22, 2011 :

Minutes of the Iron County Commission meeting held August 22, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Maria Twitchell reported that transient room tax revenue was up over 4% above 2010 levels for August. This is a reflection of the economy with people staying closer to home and also the Shakespearean Festival fiftieth anniversary.

Maria reported that one information kiosk has been placed at the Cedar City Aquatic Center. The kiosk scheduled to be constructed on the Cedar City park is awaiting Cedar City action to pour concrete. It is anticipated that this will be completed before winter.

Charlie Morris and Jane Shaffer, Parks, Recreation and Emergency Management, reported that their budgets were in line with projections except for Reverse 911 which is paid annually. Charlie also discussed the special needs registry for Reverse 911. This is a voluntary program that individuals need to apply to be on the registry. There is no charge for being added to the registry.

Charlie discussed problems with pumping rest rooms at Woods Ranch. The rest rooms were designed to be self digesting which is not working completely. The facilities may need repair or modification in the future as there are no pumpers that are willing to service the rest rooms. Charlie also noted that the fence abutting SR 14 is in need of repair.

Jared Wilson, IT Director, reported that overtime is still a concern. They are working to reduce over time, however with a small staff and the volume of work along with computer upgrades there is overtime required. Jared reported that new software is being installed in the Sheriff's office to upgrade the dashcam capability of patrol vehicles.

Jared also reported that there are still problems with data conversion between Eagle and CCI for the assessing programs. MCAT is aware of the problem and is encouraging and working toward a resolution.

Ron Johnson, ambulance director, reported that 911 calls for service are holding steady with previous years. Requests to transport patients either to St. George or to Northern Utah hospitals. Ron also reported that ambulance specifications have been drafted to make them as generic as possible. The funding meeting for the Permanent Community Impact Fund Board will be October 6 in Salt Lake City.

Ron also reported that he is working with Brian Head regarding garage door opening height in their new public safety building. The doors are only three inches above the top of the ambulance which does not give room for antennas or other accessories.

A change in procedure will result in Paramedics working on heart patients at home to stabilize the issue prior to transport. This is following a national trend and the Paramedics can provide the same level of care as is available at the emergency room.

COOPERATIVE AGREEMENT CONSOLIDATED DISPATCH SERVICE :

Linda Petty, Dispatch Supervisor, met with the Commission to explain the increase in budget for FY 2011-2012. The increase will correct shortfalls in budgets for the past five years as funded by the State. It will result in an increase to Iron County of \$4,100.00 for the year. Dan Webster made a motion to approve the amended agreement as presented and explained.

Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye. Linda Petty will forward a copy of the completed agreement will all signatures upon completion by all participating entities.

UTAH'S PATCHWORK PARKWAY HIGHWAY 143 :

Nancy Dalton and Dutch Deutschlander, Byway Coordinator and Co-Chair presented the annual report on the designation of SR 143 between Parowan and Panguitch as a National Scenic Byway. The Byway was designated in 2009 and the plan is to develop interpretive signs and kiosks on both ends of the highway and in several areas along the route. Nancy presented copies of written material for review outlining plans. The committee has applied for designation as a 501 (C) (3) corporation under the IRS code. No action was required by the Commission.

REQUEST PERMISSION TO DRILL WATER WELL AT WOODS RANCH :

A request by Gary F. Player presented by Larry Daniel and Steve Platt to drill an exploratory water well at Woods Ranch. The plan is to drill up to 1,000 feet to determine the availability of quality drinking water. The well would be to culinary standards should water be found and of sufficient quality and quantity. This could be used in the future to supplement existing springs at Woods ranch which have experienced bacterial contamination in the past. Dale Brinkerhoff made a motion to approve authorization to drill an exploratory well as presented upon completion and signing of an agreement to be drafted. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

DISCUSSION ON ADDRESSING FOR MOUNTAIN CABINS :

Steve Platt, Iron County Engineer, discussed concerns with addressing of cabins on extremely remote parcels within Iron County. It was determined that due to the rural areas and because there is not a way to address some cabins from public roads, that the best option would be to rely on GPS locations for emergency responses.

IRON COUNTY VEHICLE POLICY PROPOSED AMENDMENTS :

Dale Brinkerhoff submitted proposed changes to the County Vehicle policy for consideration. Alma Adams explained that the County Attorney's office and the HR Department were reviewing the policy also and suggesting additions to combine the former policy and the new policy into one more comprehensive policy. Action was tabled to allow additional time to incorporate changes and to forward a recommendation to the commission.

TAKE HOME VEHICLE AUTHORIZATION UNDER NEW VEHICLE POLICY:

Action was tabled to allow an amended policy to be drafted and submitted for commission consideration.

RAP TRAINING :

Vicki Nelson presented RAP training for weeks thirty, thirty one and thirty two. Week thirty one training addressed indoor environmental quality, week thirty one reviewed ladder safety with a note that several accidents have been reviewed where improper climbing techniques have been used. Week thirty two discussed electrical safety noting that electrocution is the fifth leading cause of death in the workplace. Exposed cords or over loaded

circuits can be a major hazard resulting in injury or fire.

PERSONNEL MATTERS :

Judge Brent Dunlap met with the Commission to request a change in his request for benefits to a request to be paid at ½ of the full time judge position and to delay the request to a budget request effective in 2012. Dale Brinkerhoff made a motion to approve the request effective January 1, 2012. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Renon Hulet requested that the Commission consider a pay adjustment for Corrections Secretary, Syonja Gustafson to account for prior work experience of nine years retroactive to August 23, 2011. She explained that Syonja has proven to be very efficient and performs above expectations. The adjustment into the grade to account for prior experience was not requested at the time she was hired but is now being requested upon completion of her probationary period.

Dale Brinkerhoff made a motion to review the request at budget time as the Commission has denied pay increases during this budget year. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette Eppley presented workforce justifications for a Council on Aging at the Parowan Senior Center Janitor for Parowan, a Landfill Technician, and an Ambulance Secretary.

Dan Webster made a motion to approve the replacement of the Council on Aging janitor at the Parowan Senior Citizen Center. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dale Brinkerhoff made a motion to approve the workforce justification to replace Larry Bennett as a Landfill Technician. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dan Webster then made a motion to approve the workforce justification to replace the Ambulance Secretary as a part time position. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a request to approve promotion of Aubry Lauritzen, Devin Lauritzen, Clay Allred, Douglas Higgins, and Jeff Malone from EMT-Intermediate to Paramedic. Dan Webster made a motion to approve the promotions as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented for approval as a part time Tourism Receptionist, Holly Kay. Dan Webster made a motion to approve the hiring of Holly Kay as a part time receptionist at the Visitor Center. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Colette presented a request to increase Vicki Nelson's salary by \$200 to \$250 per week as interim HR Director. Colette explained that she has resigned her position and will be leaving next week. Vicki will be the Interim Director while the Commission decides how to proceed with this office. The Commission took the request under advisement to allow time to discuss personnel in a closed session.

The Commission thanked Colette for her service to Iron County and wished her well in her new employment with Intermountain Health Care Valley View Medical Center.

MISS IRON COUNTY :

Crystal Cardon, Miss Iron County 2011, met to thank the Commission for their support of the Miss Iron County Pageant and give platform and project for the upcoming year. She is working on a program called CAPS, Cancer Awareness Prevention and Support. The program works with cancer survivors and with families dealing with cancer.

Marijeanne Burgess, Pageant Director, thanked the Commission for their support and she explained that the County funding goes to support scholarships for participants. The pageant was a huge success this year and received lots of local support.

TAX DEFERRAL REQUESTS :

Property owners requesting a tax deferral were unable to appear and therefore action was tabled to next meeting to allow for the owners to be present. Requesters included Miller Funding Group, LLC on Parcel Number B-1815-0000-0000, SE COR SEC 32,T35S,R11W, SLM. And Parcel Number B-1816-0002-0000, S1/4 COR OF SEC 32,T35S,R11W, SLM. A request from

MRGR LLC, Rick Bontadelli, Sunrise Meadow Phase 3, Lots 6, 7, 9, 11, 16, 24 - 27, 30, 36, 38, 40 - 44, 46, 48 was also tabled.

WELLHEAD PROTECTION AGREEMENT REQUESTS :

George Mason, representing Central Iron County Water Conservancy District requested approval of land use agreements for well sites in Cedar Valley. The locations included a well purchased from Wayne Smith of 4200 West and a well known as the Derby Well. The Commission questioned why the Derby well was re-drilled so close to the road that it required a wellhead protection designation in a County road right of way.

Mike Edwards requested that the proposed agreement be reworked to more acceptable language for the County and to require to CICWCD to provide signing and weed control in the protection area.

Action was tabled to allow for a new agreement to be drafted.

PUBLIC COMMENTS :

Dennis Gaede commented on the poor planning by the Water Conservancy District in drilling wells adjacent to roads that are regularly maintained with weed spraying and de-icing during winter storms.

PRAIRIE DOG MATTERS :

The Commission reported that Senators Hatch and Lee are ready to introduce legislation that would exempt the Paragonah Cemetery and the Parowan Airport from the endangered species act for Prairie Dogs. This will allow the complete removal of prairie dogs by lethal means from these two areas due to the sensitive nature of the cemetery and the safety concerns with prairie dogs undermining runways at the Parowan airport.

DISPOSE OF SURPLUS VEHICLES :

The Commission discussed the method to use in disposing of surplus vehicles. The vehicles will have a minimum bid attached and will be advertised locally for sale as in the past. If no appropriate bids are received the vehicles will be advertised on the internet for sale.

BOARD APPOINTMENTS :

Restaurant Tax Board Adjustment: Maria Twitchell presented names for appointment to the Restaurant Tax Board along with a recommendation that only one Commissioner remain on the Board.

Dan Webster made a motion to appoint Kathy Johnson, Bards Manager, and Rory Asay, Wendy's Manager, to the Restaurant Tax Board and to remove Dale Brinkerhoff and Alma Adams from the Board. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

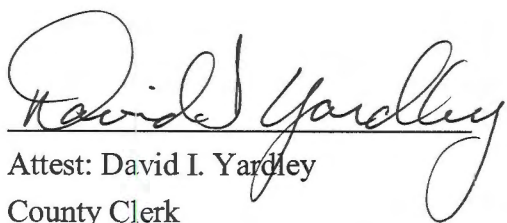
CLOSED MEETING :

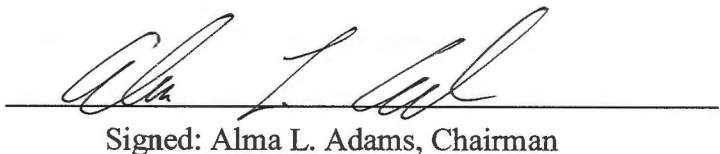
Dale Brinkerhoff made a motion to convene a closed meeting to discuss the character, professional competence, or physical or mental health of an individual. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

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

I, Alma L. Adams, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Closed Meeting 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 12th day of September, 2011.


Attest: David I. Yardley
County Clerk


Signed: Alma L. Adams, Chairman

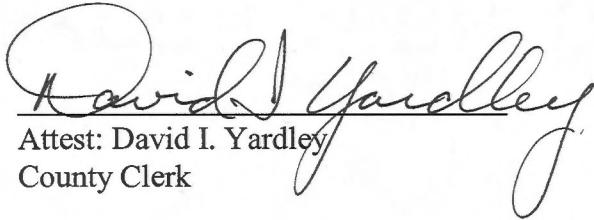
After reconvening in open session Dale Brinkerhoff made a motion to appoint Vicki Nelson as temporary Human Resource Director with a temporary pay increase of \$500.00 per month effective September 19, 2011. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

ADJOURN _____ :

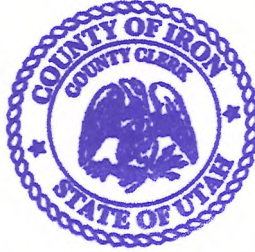
The meeting was adjourned at 3:30 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
September 26, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 26, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Neil Forsyth	County Road Supervisor
Steven Platt	County Engineer
Chad Nay	Building Inspection/Zoning Administrator
Jaren Scott	Landfill Supervisor

SYNOPSIS _____ :

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TAKE HOME VEHICLE AUTHORIZATION	5
TAX DEFERRAL REQUEST MILLER FUNDING GROUP, LLC	3
TAX DEFERRAL REQUEST MRGR LLC	3
UTAH STATE PARKS PRESENTATION	3

PLEDGE OF ALLEGIANCE _____ :

Those assembled were led in the pledge of allegiance by Neil Forsyth.

APPROVAL OF MINUTES September 12, 2011 _____ :

Minutes of the Iron County Commission meeting held September 12, 2011 were approved on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS _____ :

Steve Platt reviewed projects the Engineering Department is involved in at this time. Gravel is being crushed for the Yankee Meadow road project in Parowan Canyon. He has also met with Washington County regarding flooding issues in Holt Canyon and Shoal Creek. The track hoe operator is working with the Road Department on the Webster Flat road project. It is expected that this project will continue while the weather permits. The Department will be requesting the purchase of a new track hoe during the 2012 budget. The current machine is well worn and will require major work to keep it running.

Chad Nay reported that building permits show an increase over 2010. The one area that has not shown an increase is in mountain cabins. Chad also discussed changes in budgets due to personnel changes, specifically transferring buildings to his supervision and by eliminating the County Administrator position and adding the County Planner to his department. Chad also reported that the contract is ready for signatures for construction and remodel work at the Beryl Fire Station.

Neil Forsyth reported that the Road Department is within budget however the line item for fuel is over due to the increase in fuel prices. Neil also reported that the Road Department has completed twenty three miles of chip seal and eleven miles of flush coat on chip sealed roads. They are also working on repairing damage in the Sunrise Meadows Subdivision. The majority of the road crew is working on the Webster Flat road project in an attempt to complete work before snowfall.

Jaren Scott reported that the budget at the Landfill and Solid Waste Collection were experiencing the same fuel cost increases as reported by the Road Department. Revenue at the Landfill is in line with projections and may be slightly above estimates. Jaren discussed staffing needs due to long term FMLA leave and retirements. Because of landfill coverage requirements, the overtime will be above expectations.

Jaren also reported that an electronics recycling program has been started at the landfill. A company from St. George comes on a regular basis and picks up electronics. In the past electronic waste was not allowed in the landfill.

Michael Edwards reported he is drafting an agreement for signatures for permission to drill a water test well at Woods Ranch to a depth of 1,000 feet. He also reported he has compared the adopted vehicle policy with the policy in the Personnel Handbook. The results will be presented later in the meeting for discussion.

Dan Webster reported that he has received a number of comments regarding the Forest Service motorized travel plan. A meeting with Forest Service officials has been set for September 28 at 9:00 a.m.

Dale Brinkerhoff expressed concern with the Five County AOG budget proposal. He explained that many budget items seem to be weighted too heavily toward administration and not enough toward actual program helps.

Alma Adams reported on the Utah Association of County Commissioners and Council members held at Midway. Public defender contracts were discussed. The ACLU has issued a negative report stating that Utah Counties do not pay public defenders enough to provide adequate defense for indigent defendants. Wilderness, jail policy updates, group homes and public health issues were also discussed.

IRON COUNTY BUDGET UPDATE :

Iron County Auditor, H. Eugene Adams, presented an overtime report for all departments through August. He noted increases in overtime hours in the Sheriff's Office and the Jail. He also noted that the prairie dog control workers logged 46.5 hours of overtime.

Gene also reviewed income and expenditure reports through August. He noted no significant concerns with expenditures except in line item fuel costs. The total County budget is in line with projections for this time of year.

TAX DEFERRAL REQUEST MILLER FUNDING GROUP, LLC :

Rick and Melissa Miller representing Miller Funding Group LLC met with the Commission to request a one year extension on payment of delinquent taxes on the following parcels: parcel number B-1815-0000-0000 and parcel number B-1816-0002-0000.

They explained that they received the properties in foreclosure and because of the economic downturn in the nation, their principals did not have immediate funds to pay the delinquent taxes currently amounting to nearly \$60,000.

Dale Brinkerhoff made a motion to authorize the County Attorney to draft an agreement for the payment of delinquent taxes in monthly installments including 2011 taxes as they come due before March 2013. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

TAX DEFERRAL REQUEST MRGR LLC :

A tax deferral request for MRGR LLC was tabled indefinitely without action because applicants failed to appear to present their request.

UTAH STATE PARKS PRESENTATION :

Larry Gray, Utah State Parks Regional Supervisor met with the Commission to explain a Legislative request to consider Counties funding the operation of State Parks within their jurisdiction, in Iron County it would involve Frontier Homestead (Iron Mission) State Park. The Legislature has cut State Park budgets and then backfilled funding for 2011. This backfill will not be provided in 2012 which will amount to a 2.8 million budget cut statewide.

The Commission explained to Mr. Gray that local jurisdictions do not have the funding to support state parks and that turning operations over to local jurisdictions results in an unfunded mandate from the State. The Frontier Homestead is a museum that requires extensive expertise in operating properly. The Commission suggested that the Legislature consider partnerships with private entities in operating recreational parks that do not require the expertise and resources to operate a museum and teaching facility such as Frontier Homestead State Park.

David Yardley was asked to draft a letter for signature by the Commission Chair explaining the County position regarding this matter.

RAP TRAINING :

Vicki Nelson presented RAP training for weeks thirty three and thirty four. Week thirty three included a discussion on an emergency action plans (EAP) is a written document required by OSHA establishing instructional procedures for the different types of emergencies likely to occur at work. Emergencies include, but are not limited to fires, bomb threats, civil disturbances, and medical emergencies. The plan describes procedures employees should take for each type of emergency and outline the evacuation procedures when evacuation is required.

Week thirty four training explained safety handling procedures when working with or around hazardous chemicals and how to interpret a “Material Safety Data Sheets” (MSDS). Also noted was the need to have MSDS sheets available where employees have access and training on how to identify concerns with workplace chemicals.

PERSONNEL MATTERS :

Vicki Nelson requested approval of Ben Marshall as a master mechanic at the Landfill to replace Jake Hawkins. Dan Webster made a motion to approve the hiring of Ben Marshall to replace Jake Hawkins as a master mechanic. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki also presented a request to hire Sandra Capps as a replacement Council On Aging Activity Director in Parowan. Ms. Capps has been employed as a part time assistant cook at the Cedar City Senior Center. Dale Brinkerhoff made a motion to approve the hiring of Sandra Capps as activity director in Parowan. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki also presented a position justification for the Cedar City COA Activities Director to replace Ray Taylor and the Cedar City COA Assistant Cook to replace Sandra Capps. Dan Webster made a motion to approve the position justifications for the two COA positions and authorize posting the jobs. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki presented a request to reclassify Tourism Director position held by Maria Twitchell and to updated the job description of the Executive Director of Tourism with a grade change from 18 to 22. Maria explained that this has been in the works for some time and the recommended changes were completed by the former HR Director, Colette Eppley. Funds are available in the current budget to fund the pay increase created by the change in grade. Dan Webster explained the process used in bringing the job description up to date with current job responsibilities. Dale Brinkerhoff expressed concern with the timing and by singling out a single position when the entire work force may need to be reviewed.

Dan Webster made a motion to approve the reclassification of the Tourism Director position from Grade 18 to Grade 22. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Nay.

Dan Webster then made a motion to approve the job description for Tourism Director. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Nay.

IRON COUNTY VEHICLE POLICY AMENDMENTS :

Michael Edwards presented a draft County vehicle policy with suggested changes and references to the policy contained in the Personnel Policy Handbook. Proposed changes were discussed and language substituted so that no provision of the old policy was overlooked. Amendments were noted and Michael Edwards was requested to make the changes approved, submit to County Departments for comments and to place on the agenda for approval.

TAKE HOME VEHICLE AUTHORIZATION _____ :

The Commission reviewed requests for authorization to take County owned vehicles home.

Emergency Management, Charles Morris, was authorized to take the Emergency Management vehicle home with the stipulation that use is to be in compliance with the Vehicle Use Policy for official use only. Personal use is prohibited.

Road Department, Neil Forsyth, Charles Hulet, and Travis Benson were approved for take home vehicles. Neil as Road Supervisor, Charles Hulet and Travis Benson as grader operators in the Escalante Valley and Parowan Valley respectively.

Attorney's Office use of vehicles is permitted as currently managed by the County Attorney.

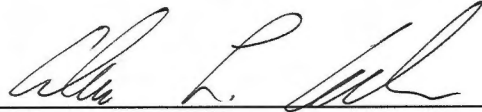
Sheriff's Office use of vehicles permitted for Patrol Deputies and Sheriff. Bailiffs, VIPS Volunteers and Search and Rescue are not authorized to take home vehicles. Wayne Townsend as a Bailiff was authorized to drive a vehicle between Cedar City and Parowan as a courier for the Sheriff's Department. The vehicle is to be parked at the Courthouse.

All other previously approved take home vehicle authorizations were revoked. These included the Engineer, Building Inspectors, and Human Resources.

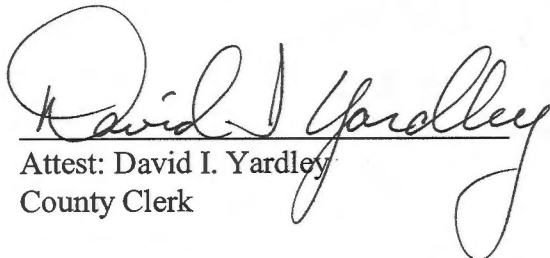
Dale Brinkerhoff made a motion to affirm the listed take home vehicle action. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

ADJOURN _____ :

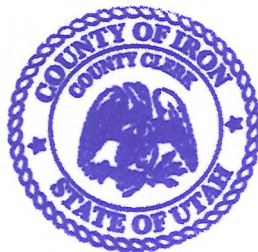
The meeting was adjourned at 2:50 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



**IRON COUNTY COMMISSION MEETING
October 10, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 10, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Chad Reid	USU Extension Service
Kathy Riggs	USU Extension Service
Stephanie Furnival	Children's Justice Center
Dr. David Blodgett	Southwest Utah Public Health

SYNOPSIS :

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PUBLIC COMMENTS	4
RAP TRAINING	3
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TAX ABATEMENT APPROVALS	4
TAX MATTER DEFERRAL REQUEST MRGR LLC	2

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Michael Edwards.

APPROVAL OF MINUTES September 26, 2011 :

Minutes of the Iron County Commission meeting held September 26, 2011 were approved on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Chad Reid and **Kathy Riggs** reported that the 4-H program continues to grow in Iron County. In particular the nutrition program has shown remarkable growth and is a model used by other Counties and States. They also reported that they are cramped in the space where they are located with no room to expand. The installation of a brochure rack should help gain some room near the receptionist desk.

Kathy discussed the possibility of funding a part time employee currently funded through grants with regular County funds. The position would be for a maximum of 20 hours per week.

Chad discussed weather information available on their website from four remote locations in the County. To have the information updated every fifteen minutes instead of daily would cost an additional \$500 per year for phone service. He will be making a budget request for the additional funding.

Stephanie Furnival presented a report on the operation of the Children's Justice Center. Currently there are eighteen centers operating in the State. The Iron County CJC serves Iron, Beaver, and Garfield Counties. She also explained that before staff are allowed to interview children they must complete forensic training. Funding of the CJC is through State and Federal grants administered by the County. The County also provides IT services and Auditor services.

Dr. David Blodgett presented a report on the operation of Southwest Utah Public Health. The Department is funded at a rate of \$4.94 per capita for the five county area. This is the lowest funding level in the State of Utah and as far as they are able to determine, in the nation.

Dr. Blodgett reported that SWUPH was able to pay off the bond on their building in Cedar City fifteen years early which will free up additional funds for operation of the Department.

SWUPH administers 136 programs within the five county area. Dr. Blodgett also reported on a new strain of bird flu H1N1 that has appeared and has been spreading. So far there have been 12,000 world wide cases with a mortality rate of 50%. Progress of this flu strain will be closely monitored.

Dan Webster reported on a landslide in Cedar Canyon that covered SR 14. The highway is now impassable and SR 14 is closed between Right Hand Canyon and the Cedar Breaks Road. Cabins in the Woods ranch area can still be accessed from Midway. It is anticipated that repair will take several months. The Commission discussed the need to survey the area to determine if a pipe needs to be installed in Coal Creek to avoid a potential flood problem should the slide continue and block the creek.

Dale Brinkerhoff reported that Bob Clark has opened gates and provided road access to the Webster Flat area to allow ranchers to bring their livestock down from Cedar mountain. This ability to move livestock is greatly appreciated by local stockmen.

Alma Adams reported that due to fuel cost increases, the solid waste collection is not generating enough revenue to cover expenditures. This may necessitate a rate increase if fuel prices remain high. Alma also reported on a hearing in Salt Lake regarding the operation of State Parks and the possibility of requiring Counties or Cities to pick up the cost of operating State Parks. Dale Brinkerhoff will represent Iron County and express concerns with closing Frontier Homestead State Park in Cedar City.

TAX MATTER DEFERRAL REQUEST MRGR LLC _____ :

Richard Bontadelli representing MRGR LLC came before the Commission to request a deferral of taxes for one year on the following parcels: Sunrise Meadow Subdivision Phase 3,

Lots 6, 7, 9, 11, 16, 30, 36, 40, 41, 42, 43, 44, 46, 48. He explained that due to the economic down turn he has not been able to sell developed lots within the subdivision.

Dale Brinkerhoff made a motion to grant a tax deferral on the requested parcels to March 1, 2013 and authorized the County Attorney's office to draft an agreement for signatures. Payments are to be made monthly with current year taxes to be current by the payoff date. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY VOLUNTEER CENTER UPDATE :

Carol Hollowell, Five County Volunteer Center Coordinator introduced Amy Brinkerhoff as the Iron County Volunteer Center Director. Amy replaces Traci Garrett as Center Director. Amy reported that she is concentrating on working with Cedar High School service clubs in volunteer work. As the program is established she will expand to the other County high schools. Other programs include SHIP (Senior Health Insurance Program), Senior Companion, and Foster Grandparents. Participants in these programs are paid a stipend for their participation. Iron County has always had a generous volunteer program and she thanked residents for the support they have given as volunteers.

RAP TRAINING :

Vicki Nielsen presented RAP for weeks thirty five and thirty six covering workplace violence and first aid/CPR.

The National Institute for Occupational Safety and Health (NIOSH) estimates that over one million people in the US are victims of violent crime in the workplace each year. The Centers for Disease Control (CDC) has officially declared workplace homicide to be an epidemic. Workplace homicides continue to be a major cause of occupational fatalities in the US. Robbery was the leading motive, followed by violence by coworkers and customers or clients. In a recent one-year period, two million people were attacked, six million threatened, and 16 million harassed. All employers need to be aware that there are no safe havens from workplace violence. Employers need to do whatever they can to protect their workforce because workplace violence can happen anywhere.

Compulsory to OSHA, employees must be given a safe and healthy workplace that is reasonably free of occupational hazards. However, it is unrealistic to expect that accidents will not happen. Therefore, employers are required to provide medical and first aid personnel and supplies commensurate with the hazards of the workplace. The details of a workplace medical and first aid program are dependent on the circumstances of each workplace and employer.

OSHA's interpretation of this standard indicates that adequate medical care must be available within 4 minutes of an injury. If medical care is not available within 4 minutes, the employer must provide adequately trained personnel.

PERSONNEL MATTERS :

Vicki Nielsen presented a replacement justification for a full time secretary in the Sheriff's Office to replace Mary Watson. The Sheriff has recommended that Rebecca Baldwin, a

current part time secretary be promoted to a full time position. Dan Webster made a motion to approve the replacement justification for a full time secretary in the Sheriff's office and to approve the promotion of Rebecca Baldwin to a full time secretary. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki and Sheriff Gower also presented a replacement justification for a part time secretary in Sheriff's Office. The Sheriff requested however that the position remain vacant for the time being to allow time to further review the need for the part time position. Dan Webster made a motion to accept the replacement justification as presented and authorize further review of the position to determine if it is necessary. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki presented for approval Luke Simkins as a Solid Waste Technician replacement employee as recommended by the Landfill Supervisor. Dan Webster made a motion to approve Luke Simkins as requested. Dale Brinkerhoff seconded the motion but requested copies of the applications for the top applicants for review. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS :

Wendell Shallenburger on the community support of the local National Guard unit, 2 Battalion 222 Field Artillery who are currently deployed to Iraq. 470 quilts have been made and donated to ship to the soldiers. An additional \$6,000 has been donated to help ship the boxes to the unit so they will arrive in time for Christmas. Additional support activities are planned to support families at home.

BOE HEARING OFFICER RECOMMENDATION APPROVAL :

Carrie Christiansen, Deputy Auditor presented for approval the Board of Equalization Hearing Officer recommendations. She explained the recommended changes and the reduction in market value. Market value reduction was 30 million.

Dale Brinkerhoff made a motion to approve the Board of Equalization recommendations as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

TAX ABATEMENT APPROVALS :

Christene Lowder presented for approval Applications for low income, homeowners tax credits, blind and Veterans abatements for the 2011 tax year which have been submitted to date. Christene explained to the Commission qualifications to receive the abatements and the tax effects this has on the County.

After explaining each of the exemption categories, Dale Brinkerhoff made a motion to approve the exemption requests as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PRAIRIE DOG MATTERS :


Cindy Bulloch discussed with the Commission questions regarding valuation of property for tax purposes, acreage infested with prairie dogs. She also asked if the HCP could be

amended to allow permanent take when available to clear property for future development. The Commission explained that this will be proposed to the HCP Committee but in order to amend the HCP, a process must be followed and Federal FWS participants have not been willing in the past to amend the plan because of the threat of lawsuits by environmental groups.

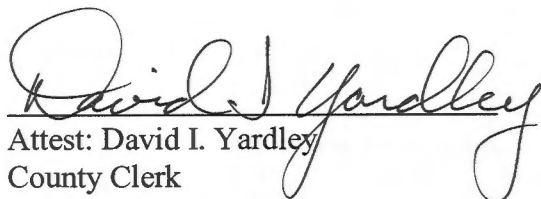
The Commission also discussed a concern expressed by owners of Kolob Care Center in Cedar City with prairie dogs adjacent to their property becoming a problem due to migrating into their building and being around their patients. Some prairie dogs have become so friendly that they will come up to patients and beg for food. The concern is with the disease and fleas the prairie dogs harbor being transmitted to elderly patients.

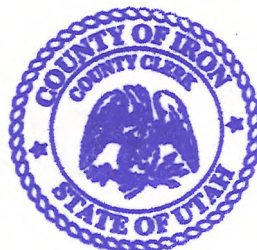
ADJOURN _____ :

The meeting was adjourned at 12:05 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman


Attest: David I. Yardley
County Clerk



**IRON COUNTY COMMISSION MEETING
October 24, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 24, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Ann Marie McIff Allen	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Cindy W. Bulloch	County Assessor
Geraldine Norwood	County Treasurer
Carrie Jeffries	Deputy County Recorder

Absent:

Alma L. Adams	Commission Chair
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SYNOPSIS :

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Ann Marie McIff Allen.

APPROVAL OF MINUTES October 10, 2011 :

Minutes of the Iron County Commission meeting held October 10, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

APPOINTMENT OF CHAIRMAN PRO TEM :

Chairman Alma Adams was excused from the meeting as he is out of state with family. Dale Brinkerhoff was appointed Chairman Pro Tem on a motion by Dan Webster. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Cindy Bulloch presented a report on assessed values from 1997 to present. The assessment data shows highest values were in 2008. Since that time there has been a steady decline in property values. The trend shows the state of the national economy and its effect on local property values. Cindy also discussed a presentation given to Brian Head Town regarding tax values and rates explaining how tax rates vary depending on taxable value.

Cindy also reported that the Colorado Software program is still having issues with data conversion. Colorado Software and Eagle are still working on issues integrating the changes mandated by the State.

Carrie Jeffries reported that the Recorder's office document volume is remaining steady and appears to be in line with budget projections. She also reported that Chief Deputy, Amber Evans will be returning from maternity leave which will help in the office.

Geri Norwood presented a distribution report to date. A collections report is not available due to a computer problem. Geri discussed concerns with tax deferral payments from three entities. The accounts are behind several payments and will be included in the next tax sale if not completely paid before May. The two most recent agreements have not been returned from the County Attorney's office.

Dale Brinkerhoff reported on a Legislative Interim Committee meeting he attended in Salt Lake City regarding funding of State Parks and a proposal to require local Counties and Cities to help fund their operation. At the hearing, County and City officials stated that they were not equipped to take over State Park operations and they requested the Legislature to find funding to continue operating parks.

Dale reported on concerns with maintenance and operation of Woods Ranch due to the landslide on SR 14 in Cedar Canyon. In order to access the park from Cedar City you must drive to Parowan, Brian Head and through Cedar Breaks to get to SR 14. As winter approaches, maintenance will end at Navaho Lake and Cedar Breaks. Woods Ranch will only be accessible to snowmobilers and cross country skiers. The matter will be placed on the next agenda for discussion with Charlie Morris.

PUBLIC HEARING ORD 2011-6 AMENDING IRON COUNTY CODE TITLE 17:

Dan Webster made a motion to open a public hearing to receive comments regarding a proposed ordinance 2011-6 amending Iron County Code Title 17. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

Reed Erickson, County Planner, introduced proposed changes addressed within the ordinance. Changes include adding definitions in sections 17.84.010 and 17.20.010; adopting a new section 17.36.260 known as "Permanent Farm Worker Dwelling Requirements"; and amending the table of uses section 17.16.030. The ordinance will allow multiple family residences within the Industrial Agriculture zone (IA) to house workers on the agricultural operation. The housing must be located at the same location as the farming operation. Reed also reported that the Planning Commission recommended approval of the proposed ordinance by a

unanimous vote.

Wendell Shallenburger asked how the housing units would be assessed and if they would be assessed at greenbelt rates. The Commission responded that the housing units would be assessed as residential and would not qualify as green belt uses.

After all comments were received, Dan Webster made a motion to close the public hearing. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dan Webster made a motion to adopt Ordinance 2011-6 amending Iron County Code Title 17. Second by Dale Brinkerhoff.

IRON COUNTY ORDINANCE NO. 2011-6

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING THE COUNTY CODE CHAPTER 17, BY ADDING DEFINITIONS IN SECTIONS 17.84.010 AND 17.20.010; ADOPTING A NEW SECTION 17.36.260 KNOWN AS "PERMANENT FARM WORKER DWELLING REQUIREMENTS"; AND AMENDING THE TABLE OF USES SECTION 17.16.030; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County has determined to promote and preserve agricultural land and resources while providing for the changing needs of agricultural economies and recognizes the importance of its numerous contributions to the County;

WHEREAS, Iron County has identified the need to provide for permanent workforce housing associated with intense agricultural uses in close proximity to said agricultural activity;

WHEREAS, Iron County has drafted an ordinance to accommodate the stated need and to establish minimum standards of safety for farm worker housing development to occur.

WHEREAS, Iron County desires to minimize the potential of agricultural conflicts with residential uses and identified concerns adversely affecting public health, safety, and property;

WHEREAS, after receiving and discussing the draft ordinance at their May 5, 2011 meeting the Iron County Planning Commission held two properly advertised public hearing on the draft ordinance at their May 5, 2011 and July 7, 2011 meetings, and further accepted comments at their June 2, 2011, September 1, 2011 and October 6, 2011 meetings. Changes to the draft were made at each meeting to improve the document and address concerns, after which the Planning Commission voted unanimously to pass the ordinance on to the County Commission for approval;

WHEREAS, a public hearing was held at the October 24, 2011 County Commission meeting on the version of the ordinance recommended by the Planning Commission;

WHEREAS, Iron County finds that the criteria of Section 17.12.060 Iron County Code, pertaining to zoning amendments, have been properly considered, as presented for this proposal;

WHEREAS, after considering public comments, staff recommendations, and the document itself, the Iron County Commission concludes that the proposed amendments to the zoning ordinance are appropriate to protect the health, safety, and general welfare of the public, and are necessary for the reasons stated above.

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

SECTION 1. ADOPTION.

The attached Exhibit A entitled "FARM WORKER HOUSING" is hereby adopted - amending the County Zoning Ordinance Title 17, by adding definitions in Sections 17.84.010 and 17.20.010; adopting a new Section 17.36.260 known as "PERMANENT FARM WORKER DWELLING REQUIREMENTS"; and amending the Table of Uses Section 17.16.030.

SECTION 2. SEVERABILITY.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES.

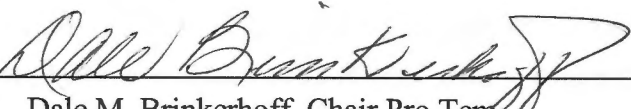
To the extent that any ordinances, resolutions or policies of Iron County conflict with the provisions of this ordinance, they are hereby amended to comply with the provisions hereof.

EFFECTIVE DATE:

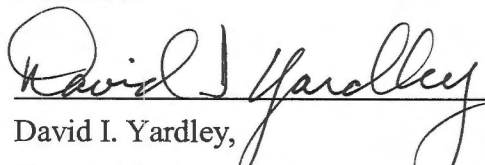
This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208.

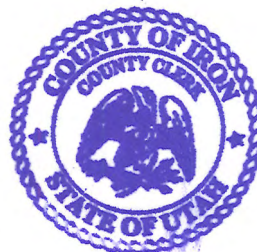
PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 24th day of October, 2011.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Dale M. Brinkerhoff, Chair Pro Tem

ATTEST:


David I. Yardley,
County Clerk



VOTING:

Alma A Adams	Absent
Dale Brinkerhoff	Aye
Dan Webster	Aye

Exhibit "A"
Farm Worker Housing

I. DEFINITION AMENDMENTS:

Add to Iron County Code 17.84.010:

"Permanent Farm Worker"

A permanent farm worker is a farm worker whose primary source of income comes from farm work and who is compensated for that farm work by a constant year-round salary or wage. This definition does not include seasonal farm workers or migrant farm workers.

Add to Iron County Code 17.20.010:

"Permanent Farm Worker Dwelling Unit, On-Farm"

A dwelling occupied by a permanent farm worker household—defined as a household that consists of a permanent farm worker (see definition) and his/her family, or not more than four unrelated permanent farm workers living together as a single household; which dwelling is located on, and owned by, the farm operation that employs the permanent farm worker(s). On-farm permanent farm worker dwelling units shall be considered an accessory use to the principal use of farming, in that they shall not be considered single-family, two-family, three-family, four-family, or multi-family dwellings for purposes of zoning definition and classification. On-farm permanent farm worker dwelling units are subject to the requirements of Iron County Code 17.36.260.

II. ADD NEW SECTION:

17.36.260 Permanent Farm worker Dwelling Requirements

In addition to meeting the definition thereof, on-farm permanent farm worker dwelling units are subject to the following requirements:

1. The number of permanent farm worker dwelling units may not exceed the amount that corresponds to the year-round, long-term employment needs of the farming operation. However, in no case shall more than eight (8) attached permanent farm worker dwelling units be approved for any one farm operation.

2. The dwelling units may be constructed in attached or detached configurations; provided they must be in a relatively closely-spaced cluster(s), with no more than four dwelling units in any building.

3. The farm worker dwelling unit(s) shall be located on a single parcel, which parcel shall also contain a significant (preferably majority) portion of the farm operation that employs the permanent farm worker(s).
4. Mobile homes, travel trailers, RVs, tents, yurts, and other temporary structures shall not be utilized for permanent farm worker dwelling units. All permitted farm worker housing structures shall conform with the building requirements of a 'Dwelling, Single Family', 'Dwelling, Multiple Family', or 'Manufactured Home', as defined and regulated by the Iron County Zoning Ordinance.
5. Primary zoning setback requirements from property lines are applicable to the unit(s), while setbacks between units shall only be subject to building and fire code requirements.
6. Vehicle access to the dwelling units shall be constructed to applicable county standards and be taken directly from a County or State maintained roadway, or a similarly improved and maintained roadway. If the roadway is classified as a collector or arterial, all farm worker dwelling units shall share a single road approach, as approved by the County Engineer. It is preferred that all farm worker dwelling units utilize a shared single road approach to the public roadway regardless of roadway classifications, whenever possible.
7. The dwellings shall not be divided or sold separately from the parcel containing the farm use for which they were authorized.
8. Each farm worker dwelling unit shall be occupied by only one family, as defined in Iron County Ordinance.

III. LAND USE TABLE AMENDMENTS:

Table 17.16.030 of Iron County Code, shall be amended, as follows:

Add Category “**Permanent Farm Worker Dwelling Units, On-Farm**”. List it as a “Conditional Use” in the Intensive Agriculture (IA) zone, and “Not Permitted” in all other zones.

TABLE OF USES									
USES	ZONE DISTRICTS								
	A-20	R-5	R-2	R-1	R-½	C	LI	I	IA
Permanent Farm Worker Dwelling Units, On Farm	X	X	X	X	X	X	X	X	C

IRON COUNTY BUILDING PAINT BID OPENINGS :

Bids for painting three County buildings were opened and results as follows:

Inexterior bid

Courthouse	\$ 6,900.00
Justice Center	\$15,900.00
Visitor Center	\$ 7,900.00

Reber Paint bid

Courthouse	\$16,510.00
Justice Center	\$35,744.00
Visitor Center	\$21,247.00

Dan Webster made a motion to accept the low bid after review by the Building Supervisor, Chad Nay's office to insure the low bid met specifications. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

RAP TRAINING :

Vicki presented RAP training for weeks thirty seven and thirty eight. Week thirty seven was training on lock out/tag out. The Department of Labor estimates that there are, on average, 9,600 serious electrical shock and burn injuries each year. They also estimate approximately one fatality per day due to electrocution. Electrocution is the fifth leading cause of death in the workplace. Most of these accidents happen because people don't look, don't think, or just don't understand the shocking power of electricity. Many serious occupational injuries and fatalities result from the unexpected startup of machines during maintenance or servicing, or from unexpected electrical and other energy discharges from such machines.

Week thirty eight training on stress in the workplace reports stress related disorders as becoming the most prevalent reason for worker disability. Job Stress is estimated to cost American industry 200 to 300 billion dollars annually by absenteeism, diminished productivity, employee turnover, accidents, direct medical, legal, and insurance fees, worker's compensation awards, etc. The US Bureau of Labor cites "neurotic reaction to stress" as the 4th leading cause of disabling workplace injuries.

PERSONNEL MATTERS :

Vicki Nielsen presented for approval new employee requests from the Council on Aging Rachel Abrams as a part time custodian at the Parowan Senior Center. The position is to replace Tawnia Dalley. Dan Webster made a motion to approve the hiring of Rachel Abrams as a part time custodian at the Parowan Senior Center. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki also requested approval of Katherine Canada as a Council On Aging Part-Time Assistant Cook at the Cedar City Senior Center to replace Sandra Capps. Dan Webster made a motion to approve the hiring of Katherine Canada as a part time cook at the Cedar Senior Center. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki presented for approval Brittany Sparks as a replacement part-time secretary in the Ambulance Department to replace Deanna Volk. Dan Webster made a motion to approve the hiring of Brittany Sparks as a part time secretary in the Ambulance Department. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki presented a replacing justification to transfer Kerri Turrell from Corrections to a Patrol Deputy in the Sheriff's Office. Dan Webster made a motion to approve the transfer as requested. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki also presented a request to replace temporary office clerk's in the Treasurer's Office. The positions are temporary for the tax season only. Vicki explained that one position will be vacant with a possibility of a second former worker not returning. The positions will need to be filled prior to the next Commission meeting. Dan Webster made a motion to approve conditional hiring of up to two temporary employees in the Treasurer's office upon verbal approval by phone of Commissioners. Formal approval will be on the next agenda. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY VEHICLE POLICY AMENDMENT ADOPTION :

An amendment to the County Personnel Policy section 30 was called for action. The policy adopted August 22, 2011 has several wording changes which have been included in the current document. Dan Webster made a motion to adopt the County Personnel Policy Section 30 amendment effective immediately and requested the amended policy be distributed to employees and Departments. Second by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS :

Wendell Shallenburger commented on community support for a family of a deployed National Guard member whose car broke down. A car was donated and repaired at minimal cost. Big O tire donated labor and brakes and installed a used set of tires. The Commission thanked Wendell and other community members for their work in helping this family.

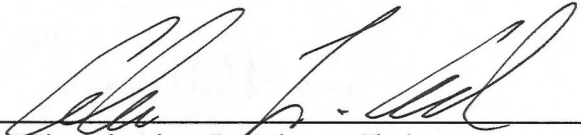
Don Young commented on prairie dog issues with the Paragonah Cemetery and the Parowan Airport. He was concerned with administration of the prairie dog program within the County. He also commented on work on the golf course in Cedar City where over 1,000 prairie dogs were trapped and translocated this summer when spring counts showed less than 500 dogs within the County. The Commission commented that this is a concern and steps are being taken to more correctly account for actual numbers.

PRAIRIE DOG MATTERS :

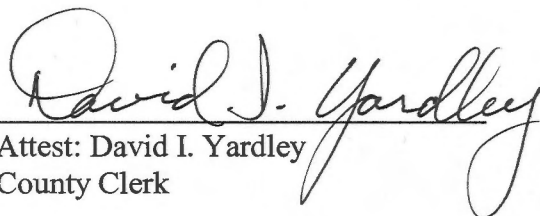
Dale Brinkerhoff reported on meetings regarding clarifying and implementation of the HCP. A meeting with Mike Styler and Larry Crist is being arranged for next week to discuss counting and management of the current HCP.

ADJOURN _____ :

The meeting was adjourned at 11:20 a.m. on a motion by Dan Webster. Second was by Dale Brinkerhoff. Voting: Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



**IRON COUNTY COMMISSION MEETING
November 14, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November 14, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Scott Garrett	County Attorney
Margaret Miller	Justice Court Judge
Mark Gower	County Sheriff
Brad Spencer	Jail Commander

SYNOPSIS :

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IRON COUNTY INSURANCE COMMITTEE BENEFITS PROPOSAL FOR 2012	2
IRON COUNTY RESTAURANT TAX BOARD	2
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PRAIRIE DOG TAKE REQUEST	6
RAP TRAINING	4
REMOVE PRO-RATED 2011 TAXES ON THE FOLLOWING PARCELS	3
REPORTS	1
RESOLUTION 2011-7 UCIP REPRESENTATIVE	3
TAX MATTER	4

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Margaret Miller.

APPROVAL OF MINUTES October 24, 2011 :

Minutes of the Iron County Commission meeting held October 24, 2011 were approved as amended on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Scott Garrett, Iron County Attorney, reported that there are some areas of his budget that are over projections however most are one time expenses that should equal out by the end of the year. He also reported on case statistics. Felony cases are lower than 2010 by over 100. Jury trials are running about equal to 2010 and theft cases are up. Most other categories are equal or lower than in years past.

Mark Gower, Iron County Sheriff, reported that due to fuel price increases, the Department budget is over for the year. He reported that the Department needs to start upgrading dash cameras in patrol vehicles. Mark also reported that he has received two large vehicles from the military. One will be used to pull the snow cat trailer and also the command center for emergency operations. The surplus policy requires that the vehicles be repainted from the current camouflage color. He also stated that the VIPS program is working well and he thanked the Commission for authorizing the program.

Margaret Miller, Iron County Justice Court, reported on case load at the Justice Court. There is a need to hire an additional part time court clerk to replace one clerk on maternity leave and a second with an abbreviated schedule to allow her to complete her college degree.

Brad Spencer, Iron County Corrections, reported on numbers of prisoners at the Jail. Federal inmates are down and apparently will not be increasing in the near future. State prisoners are steady at ten. Local bookings are also down so currently there are not over crowding problems. Brad also reported that the work crew spent over 200 hours working on community problems during the pas quarter.

David Yardley reported that the municipal elections went well. There were no problems reported from polling locations and the ability to vote at any vote center was very well received. Voters were required to vote in their own jurisdiction but could vote at any polling location within the City. By mail precincts continue to show better turnout than traditional precinct polling locations.

Dale Brinkerhoff reported that he has received a complaint about the solid waste collection truck passing garbage cans that were tipped over by the wind. He has discussed the concern with the Landfill Supervisor and changes in operation will be made.

Dan Webster discussed prairie dog relocation efforts on property owned by Cedar City which could be developed as habitat and a relocation site. The property is near the sewer treatment plant and adjacent to existing farm ground.

Alma Adams reported that the RS 2477 lawsuit phase 1 is wrapping up. It is anticipated that an agreement can be reached in which all roads within Iron County which were established under RS 2477 will be cleared by the BLM.

Alma also reported that a thank you has been received from St George City for the help and support of their wagon train trek originating in Parowan and ending in St George.

IRON COUNTY INSURANCE COMMITTEE BENEFITS PROPOSAL FOR 2012:

Vicki Nielsen reported that the Insurance Committee is recommending that the Commission approve continuing with our current health insurance program for 2012. The carrier at this time has submitted a 3% increase proposal for the year. The Commission accepted the proposal with a request that they return to the carrier and request a reduction in the increase to not more than 2%. The final approval will be considered in the budget process.

IRON COUNTY RESTAURANT TAX BOARD :

Rusty Aiken, Restaurant Tax Board Chair and Maria Twitchell presented Restaurant Tax Board Recommendations for 2012, Restaurant Tax Allocations. Southern Utah Museum of Art

(SUMA) has been committed one million total with \$125,000 from the 2012 budget. Funding will not be done until the project is ready to begin. The Shakespeare Festival has received a commitment of two million, one million from the Restaurant Tax and one million from the Transient Room Tax. With current commitments, there will be approximately \$50,000 to be allocated to small projects to be selected in the future.

REMOVE PRO-RATED 2011 TAXES ON THE FOLLOWING PARCELS :

Geri Norwood reported on requests from municipalities and SUU to grant tax exempt status and to waive taxes on the following parcels:

a. Enoch City: Serial Number A-0938-0104-0000 Account # 453958 effective March 31, 2011. Tax waived \$226.92.

b. Brian Head Town: Serial Number A-118-000A-0039, Account # 415155 effective August 1, 2011. Tax waived \$783.55. An additional Ninety Four Parcels which were foreclosed and with a tax waived amount of \$17,500.

c. Southern Utah University: Serial Number B-658-0000-0000 Account # 55332 effective April 1, 2011. Tax waived \$4,004.53.

Dale Brinkerhoff made a motion to approve the tax waivers on parcels transferred to tax exempt entities as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION 2011-7 UCIP REPRESENTATIVE :

Resolution 2011-7 appointing an Iron County representative and an alternate representative for the Utah Counties Insurance Pool membership meeting was presented for approval. Dale Brinkerhoff made a motion to adopt the following resolution as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION NO. 2011-7

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, 2011; 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, 2011 with Alma L. Adams as an alternate representative.

RESOLVED ADOPTED AND ORDERED this 14th day of November, 2011.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

Alma L. Adams, Chair

Dale M. Brinkerhoff, Commissioner

Daniel L. Webster, Commissioner

ATTEST:

David I. Yardley, Iron County Clerk

By: _____

APPROVED AS TO FORM:

Michael G. Edwards, Deputy Iron County Attorney

By: _____

TAX MATTER :

Kit Wareham, Cedar City Engineer, presented a request for reimbursement of tax they paid on property purchased from SY Corporation to extend Cove Drive to connect with Royal Hunte Drive. Cedar City request a refund of \$1,100 paid on two accounts.

After reviewing the request and noting the Deed was filed March 1, 2011 action was tabled to December 12, 2011 to allow time to determine the appropriate refund and to allow time for the Treasurer to send an amended tax notice with the additional tax to SY Corporation on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RAP TRAINING :

Vicki Nielsen presented RAP training for weeks 39, 40 and 41.

Week 39 training revisited lifting issues. Lifting injuries are one of the leading causes of employee injuries; therefore, we will revisit this issue to protect employees. Back injuries are a major cause of work-related disability and the second most common cause of lost workdays; therefore, we are revisiting lifting and material handling safety. According to the National Safety Council, 400,000 workers suffer new back injuries each year. One out of five workers experiencing a disabling injury suffers from a back injury. Generally, these injuries are the result of improper lifting methods. These injuries occur everywhere in government, not just to maintenance staff.

Week 40 training covered developing a positive safety attitude. Take responsibility for working safe. If you see an unsafe condition, you own it, either fix it or report it. This unsafe condition could seriously injure you or a co-worker. Don't willingly or knowingly do something hazardous or unsafe. Don't get carelessness, be attentive to every task. Understand that virtually every task in the county can injure you. Don't get complacent, just because you've done something many times in the past, doesn't mean you won't get hurt the next time.

Week 41 training is a revisit of defensive driving. The cost of motor vehicle accidents is staggering in terms of financial hardship and human suffering, and is the most common cause of work-related deaths and therefore requires us to revisit this topic. If you think that it can't or won't happen here, think again. In the United States motor vehicle accidents result in:

- A death every 12 minutes
- A disabling injury every 14 seconds
- Over 46,000 deaths per year
- \$3,760,000 in cost per fatality
- \$188,000 in cost per incapacitating injury
- \$22,900 in cost per evident (non-incapacitating) injury

PERSONNEL MATTERS :

Vicki Nielsen presented a leave donation request for Laura Carpenter who works in the Jail. Dale Brinkerhoff made a motion to authorize the donation of vacation hours to Laura Carpenter as sick leave. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki also presented for approval new employees Michele Abbott as a Seasonal Office Clerk In Treasurer Department and Timothy Hatch, as a part time Custodian in the Parowan Council on Aging (COA) Center. Dale Brinkerhoff made a motion to approve the new hires to replace previously approved positions. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki presented for approval the transfer of Sheila Lazenby from COA Outreach Worker to COA Activities Director at the Cedar City Center. Dale Brinkerhoff made a motion to approve the transfer as presented. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki and Kathy Riggs presented a position Justification Extension Office, Part Time Position for Site Coordinator, YFP/4-H Mentoring program. Kathy explained that this position has been funded through grants and is a model program in the nation. The position is part time with some benefits. The position is funded through June 30, 2012 and would cost approximately \$6,000 plus benefits for the remainder of 2012. The Commission took the request under advisement and will consider in the 2012 budget. Ms. Riggs was asked to again apply for the funding grant.

Vicki presented a justification for a Maintenance Technician to work with road signs and she presented a job description for the Signs, Maintenance Technician for approval. Dale



Brinkerhoff made a motion to approve the job description and the justification for the position. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki presented a justification for an Outreach Worker for Parowan & Cedar City COA Centers. Dan Webster made a motion to approve the justification for the Outreach Worker position. This will be an authorization to fill a current vacant position. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Brad Spencer requested the elimination of one Corrections Deputy position at the Jail. The position being eliminated is the work crew supervisor. The work crew will not be active until next spring or summer and the current Deputy will be returned as a line officer. Dan Webster made a motion to approve the elimination of the Deputy position at the Jail. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki presented for approval the hiring as temporary employees in the Treasurer's office Beverly Landes, Donnett Vincent, & Colleen Adams. Dale Brinkerhoff made a motion to approve the temporary positions. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PRAIRIE DOG TAKE REQUEST _____ :

Rich Bontadelli requested permanent take of 4.2 prairie dogs on 1.14 acres described as Lot 6 of Commerce Park, Cedar City. Adam Kavalunas reported that currently the County has sufficient permanent take credits to honor the request. Dale Brinkerhoff made a motion to approve the take of 4.2 prairie dogs on 1.14 acres of habitat as requested. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PRAIRIE DOG MATTERS _____ :

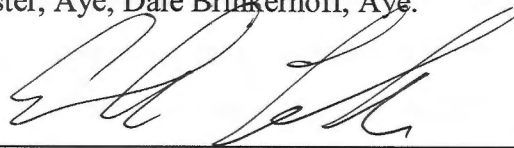
The development of a habitat relocation site at the Cedar City sewer facility was discussed. The County has agreed to clear the brush from 200 acres to help in establishing a feed source for the prairie dogs. The site will eventually be used as a relocation site as the area is developed. The Cedar City Council needs to vote to approve using the site as prairie dog habitat.

IRON COUNTY COURTHOUSE CHRISTMAS DECORATIONS REQUEST :

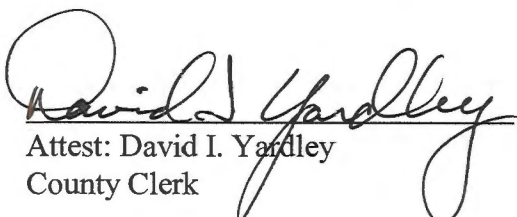
Debbie Johnson came before the Commission to request funding for additional Christmas tree decorations for the Courthouse. The Commission authorized up too \$200.00 to be taken from the Courthouse maintenance budget on a motion by Dale Brinkerhoff. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

ADJOURN _____ :

The meeting was adjourned at 1:45 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



IRON COUNTY COMMISSION MEETING
November 28, 2011

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November 28, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Vicki Nielsen	Human Resource Director
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SYNOPSIS _____ :

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BUDGET REPORT	2
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PLEDGE OF ALLEGIANCE	1
PRAIRIE DOG MATTERS	11
PUBLIC COMMENTS	10
PUBLIC HEARING RE-ZONING OF AGRICULTURAL PROPERTY	4
PUBLIC HEARING ORDINANCE 2011-7 BUILDING PERMIT AMENDMENTS	4
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RAP TRAINING	9
REPORTS	1
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PLEDGE OF ALLEGIANCE _____ :

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

APPROVAL OF MINUTES November 14, 2011 _____ :

Minutes of the Iron County Commission meeting held November 14, 2011 were approved on a motion by Dan Webster. Second was by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS _____ :

David Yardley reported that the municipal elections went well. This is the first time all polling places were able to be used as vote centers allowing anyone within the municipality to vote at any vote center. It went without problems and allowed for a higher turnout. Brian Head and Kanarraville with by mail still have the highest voter response.

Vicki Nielsen, Human Resource Director, reported on activity in the HR Department. The County health fair will be held Friday, December 9 at Festival Hall in Cedar City. Currently there are forty one vendors scheduled to participate.

Dale Brinkerhoff reported that the Airport Board is reviewing contracts and are proposing that leases contain an automatic increase after five years. He reported that he voted in opposition to the automatic increases.

Dale also reported that the proposed Alton Coal lease of BLM land would be the subject of a public hearing at the Heritage Center on December 6.

Dan Webster discussed concerns with access on County roads near Newcastle that transverse the Adams Ranch property. The roads have been blocked at times to inhibit use by the public. The issue may require court action to determine proper use by the public.

Alma Adams reported on meetings at the UAC annual conference in St George. RS 2477 road issues were discussed with UAC staff reporting on three of ten areas recommended written comments have been completed. It is anticipated that the remaining seven will have comments completed before the end of the year.

BUDGET REPORT _____ :

Gene Adams, Auditor, presented a budget report of income and expenditures to the current time. He pointed out areas of concern in Departments that were over budget in certain line items. There are budget over runs in most departments where fuel purchases are essential for operations due to increases in fuel prices this summer. Overall the budget is acceptable.

INSURANCE PROPOSAL FOR 2012 _____ :

The County Insurance Committee presented a report that Select Health has agreed to a 2% increase for 2012, down from 3% quoted earlier. The Committee requested that the County fund \$5,000 from the proposed savings to fund a wellness program for employees. They also recommended that the County fund the HSA premium for employees. Dale Brinkerhoff made a motion to accept the recommendation of the Insurance Committee except for the wellness program. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

BID OPENING AMBULANCE _____ :

Ambulance: Bids were opened for the purchase of two ambulances, one 4X4 and one 2WD. Three bids with several options were presented as follows:

Rocky Mountain Ambulance:

Chevrolet 2 WD	\$129,358.00
Chevrolet 4 X 4	\$132,193.00
Ford 2 WD	\$128,478.00
Ford 4 X 4	\$131,087.00
Inverter	\$1,485.00

Braun Northwest

Chevrolet 2 WD	\$126,783.75
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Chevrolet 4 X 4	\$129,868.75
Ford 2 WD	\$126,773.75
Ford 4 X 4	\$129,529.75
Inverter	\$1,250.00

Apparatus

Chevrolet 2 WD	No Bid
Chevrolet 4 X 4	No Bid
Ford 2 WD F450	\$136,155.00
Ford 4 X 4 F450	\$139,885.00
Dodge 2 WD (Demo Unit)	\$133,737.00
Dodge 4 X 4	\$139,310.00
Inverter	\$1,500.00

Dan Webster made a motion to take the bids under advisement and award the bid to the lowest bid meeting all specifications. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

WATER SOFTENER UPGRADE FOR JAIL :

Mike Gibbs presented a request to approve a budget shift to allow the purchase and installation of a water softener system in the Jail from the current 2011 budget instead of the proposed 2012 budget. He explained that there were sufficient funds in his current budget from savings during the current year to fund the project. Dan Webster made a motion to approve the purchase shift from the proposed 2012 budget to the current year budget. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

TAX MATTER :

A request for deferral of property taxes submitted by Gloria Milner for a home located at 2918 W 200 N, Cedar City, and described as Lot 1, BLK 12, Midvalley Estates. She explained that her income is very low and that she is trying to get the home repaired so she can move back in. The home was previously the residence of her mother who recently passed away.

Dale Brinkerhoff made a motion to approve a tax deferral with equalized monthly payments until March 15 2013 in order to bring the taxes current. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

SUSPENDING THE SEARCH FOR A NEW HUMAN RESOURCE DIRECTOR :

Applications have been received from a job advertisement for a Human Resource Director. The selection and recommendation committee suggested that filling the position should be placed on hold to allow time to review the job description and to adjust the pay grade downward. Dale Brinkerhoff made a motion to suspend the search for a new Human Resource Director to April 1, 2012 to allow time for review of the job description and grade. The motion did not receive a second.

Commissioner Adams commented that the job description and grade were posted and applications submitted in good faith and he felt it was the right thing to do to continue with the selection process.

After further discussion Dale Brinkerhoff made an amended motion to review and amend the job description and classification and move forward with selection as soon as practical. This motion also died for lack of a second. No further action taken on this matter at this time.

PUBLIC HEARING RE-ZONING OF AGRICULTURAL PROPERTY :

Dale Brinkerhoff made a motion to open a public hearing to receive comments on a proposed zone change from A-20 to IA. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Chad Nay explained that the proposed zone change is adjacent to the Holt Dairy west of Newcastle and consists of ten acres. The site will be used to construct housing for farm workers at the dairy. There will be a lot line adjustment and the parcel description will be incorporated into the dairy parcel. The Planning Commission has recommended approval of the zone change.

No additional public comments were made whereupon Dale Brinkerhoff made a motion to close the public hearing and to approve the proposed zone change on the following described parcel: Serial Number E-1096-0000-0000; Account Number 0169133

Commencing 18 rods West of the Southeast corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ Section 18, Township 36 South, Range 15 West, SLB&M; thence West 62 rods; thence North 80 rods; thence East 80 rods; thence South 62 rods; thence West 18 rods; thence South 18 rods to beginning; also the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$, of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ Section 18; excluding 2 acres for roads.

Second by Dean Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC HEARING ORDINANCE 2011-7 BUILDING PERMIT AMENDMENTS :

Dale Brinkerhoff made a motion to open a public hearing to receive comments regarding Ordinance 2011-7 geological suitability for legal lots of record and building permits. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Reed Erickson introduced the proposed ordinance and explained that it has been amended and modifies Ordinances 2010-10 and Ordinance 2010-11. The proposed ordinance has been extensively reviewed by the Planning Commission which has unanimously recommended approval.

Commissioner Adams added that the ordinances were very controversial when they were adopted and were passed with a commitment to review and revise as needed.

Wendell Shallenburger questioned if the County would assume liability for homes built in an identified hazard area. The Commission responded that if the County does due diligence that it does not assume liability.

Richard Peterson commented that future purchasers of property within an identified hazard area may not be notified of the hazard. Chad Nay responded that the building permit and the subdivision plat will have the information and the mitigation will be done before a building permit is issued. Also real estate sales documents should disclose the presence of the hazard.

No additional public comments were made whereupon Dale Brinkerhoff made a motion to close the public hearing. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Dale Brinkerhoff then made a motion to adopt Ordinance 2011-7 as follows and as recommended by the Planning Commission. Second by Dan Webster.

IRON COUNTY ORDINANCE 2011-7

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING THE COUNTY SUBDIVISION ORDINANCE (TITLE 16) AND THE BUILDING PERMITS ORDINANCE (TITLE 15) OF THE COUNTY CODE TO INCLUDE GEOLOGIC CONDITIONS FOR BUILDING PERMITS; AND, TO CLARIFY CHAPTER AND SECTION NUMBERING FROM ORDINANCE 2010-10; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County adopted Ordinance 2010-10, December 20, 2010, pertaining to building permits on legal lots of record and site suitability,

WHEREAS, clarification is needed regarding numbering and titling of Chapters and Sections pertaining to building permit prerequisites, specifically related to site suitability and geologic conditions.

WHEREAS, Iron County recognizes that poor soil conditions can be most-easily, and least-expensively, addressed when they are identified prior to development and construction.

WHEREAS, the process of identifying and mitigating poor soil conditions helps to protect the investments of property owners, lenders, future property owners, and the citizens of Iron County.

WHEREAS, Iron County desires to minimize the potential of poor soil conditions adversely affecting public health, safety, and property.

WHEREAS, the Iron County Planning Commission and Iron County Board of County Commissioners have both held properly advertised public hearings, and considered the comments presented.

WHEREAS, the Planning Commission, by unanimous vote, recommends approval of the amendments, as presented to the County Commission.

WHEREAS, Iron County finds that the criteria of Section 17.12.060 Iron County Code, pertaining to amendments to development regulations, have been properly considered.

WHEREAS, after considering public comments and the planning commission recommendation, the County Commission concludes that the proposed amendments are an appropriate exercise of its police powers to protect the health, safety, and general welfare of the public, and are necessary for the reasons stated above.

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

SECTION 1. ADOPTION.

The amendments to the Subdivision Ordinance (Title 16) and the Building Permit Ordinance (Title 15) to include geotechnical reporting requirements are hereby adopted as indicated in the attached document labeled "Exhibit A – Building Permit Prerequisites".

SECTION 2. REPEAL AND NUMBERING CORRECTION.

Chapter 16.36 of the Subdivision Ordinance is hereby repealed and replaced with this Ordinance and numbered Chapter 15.06 as labeled/described in "Exhibit A", Building Permit Prerequisites, attached. Other Sections of Chapter 16 that were added or amended in Ordinance 2010-10 remain in full affect and are not revised by this Ordinance.

SECTION 3. SEVERABILITY.

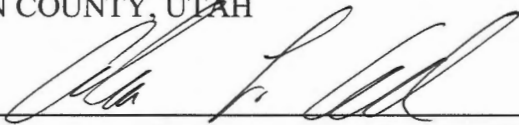
Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

EFFECTIVE DATE:

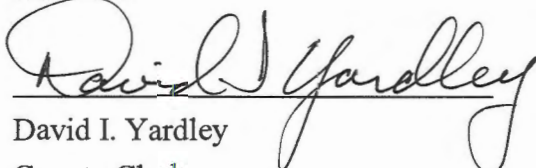
This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208.

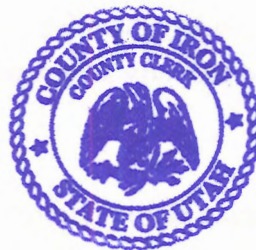
PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 28th day of November, 2011.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Alma L. Adams, Chairman

ATTEST:


David I. Yardley
County Clerk



VOTING:

Alma L. Adams Aye
Dale Brinkerhoff Aye
Dan Webster Aye

PUBLIC HEARING ORDINANCE 2011-8 GEOLOGIC CONDITION REPORTING :

Dale Brinkerhoff made a motion to open a public hearing to receive comments regarding Ordinance 2011-8 geologic condition reporting. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Reed Erickson introduced the proposed ordinance and explained that it has been amended and modifies Ordinances 2010-10 and Ordinance 2010-11. The proposed ordinance has been extensively reviewed by the Planning Commission which has unanimously recommended approval.

Chad Nay commented that the current ordinances are not workable and that the amendments are intended to make administration easier and to clarify some issues with codification.

IRON COUNTY ORDINANCE 2011-8

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING THE COUNTY ZONING CODE, CHAPTER 17.59, BY AMENDMENTS TO ORDINANCE 2010-10 WHICH CREATED A NEW CHAPTER KNOWN AS "GEOLOGIC CONDITION REPORTING", REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County adopted Ordinance 2010-11, December 13, 2010, pertaining to reporting and evaluating geologic conditions in certain areas of Iron County.

WHEREAS, clarification is needed regarding requirements for development on properties that may be subject to regulation because of the suspected presence of an identified geologic hazard.

WHEREAS, Iron County recognizes that poor soil conditions can be most-easily, and least-expensively, addressed when they are identified prior to development and construction.

WHEREAS, protecting the public health, safety and general welfare of those in Iron County is the preeminent duty of land use regulation. If a person is involved in a geological disaster their life, health, and material possessions are in danger.

WHEREAS, the level of danger can be increased greatly by actions that inappropriately disturb a geologically hazardous area—whether the actions are intentional or not. Likewise, the level of danger can often be greatly reduced if the geological hazard is recognized and appropriately addressed through mitigation actions.

WHEREAS, geological disasters destroy structures and other improvements, and present a significant risk to life and property. The cost of dealing with a geological disaster is typically much greater than the cost of preventing or avoiding it.

WHEREAS, Iron County desires to minimize the potential of geologic hazards adversely affecting public health, safety, and property.

WHEREAS, Iron County finds it prudent that decisions relating to geologic hazards be based on unbiased, professional, scientific and engineering information provided by those with the proper licensing and expertise in the matter.

WHEREAS, the Iron County Planning Commission and Iron County Board of County Commissioners have both held properly advertised public hearings, and considered the comments presented.

WHEREAS, the Planning Commission, by unanimous vote, recommends approval of the amendments, as presented to the County Commission.

WHEREAS, Iron County finds that the criteria of Section 17.12.060 Iron County Code, pertaining to amendments to development regulations, have been properly considered.

WHEREAS, after considering public comments and the planning commission recommendation, the County Commission concludes that the proposed amendments are an appropriate exercise of its police powers to protect the health, safety, and general welfare of the public, and are necessary for the reasons stated above.

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

SECTION 1. ADOPTION.

The attached chapter titled "AMENDED CHAPTER 17.59 GEOLOGIC CONDITION REPORTING" and identified as "Exhibit A" is hereby adopted as amended.

SECTION 2. SEVERABILITY.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

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.

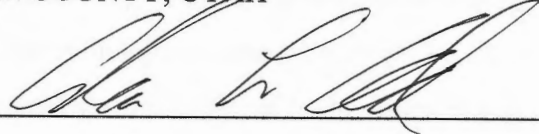
EFFECTIVE DATE:

This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 28th day of November, 2011.

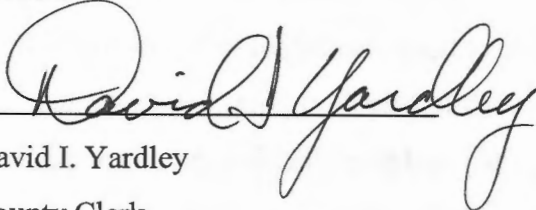
BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____

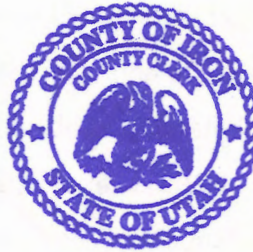


Alma L. Adams, Chairman

ATTEST:



David I. Yardley
County Clerk



VOTING:

Alma L. Adams Aye
Dale Brinkerhoff Aye
Dan Webster Aye

RAP TRAINING _____ :

Vicki Nielsen presented RAP training for weeks 42 and 43. Week 42 covered sexual harassment training. Sexual harassment is unwanted sexual attention that harms the victim and often the general morale of the organization. Sexual harassment is usually intended to make a person feel uncomfortable or to embarrass that person. Unfortunately, sexual harassment is a common occurrence, and claims are on the rise. The cost of sexual harassment cuts across all aspects of the organization, from employee retention to expensive litigation. The consequences of sexual harassment in the workplace are costly and damaging to staff. Generally, judgments are paid by organization, not insurance. The County may have to lay off employees, cut back on work hours, reduce operating budgets, or turn to the public to pay for judgments. It creates bad publicity and it affects employee morale and productivity.

Training for week 43 covered work area sanitation. The workplace environment is more than placement of furniture. The environment of a workplace includes issues such as cleanliness, order, and maintenance. Injuries most often happen because workplace housekeeping has become slack. To make a workplace safer, the company has to acknowledge which potential health and safety hazards are present, determine where, what and how an employee is likely to get injured or ill and take necessary steps to eliminate the hazard.

PERSONNEL MATTERS _____ :

Vicki Nielsen presented for approval a new employee as an existing position assistant cook at the Senior Citizen Center in Cedar City, Charles Laurer. Dan Webster made a motion to approve Charles Laurer as an assistant cook in Cedar City as requested. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki also presented a position justification for a part time Court Clerk at the Justice Court in Cedar City to fill a prior verbal approval of the position. Dan Webster made a motion to approve the justification as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS _____ :

Wendell Shallenburger commented on code enforcement for bank owned and foreclosed homes. He explained that several homes in the County have been vandalized or left unattended since being foreclosed which has led to unhealthy and unsightly neighborhoods. He suggested that VIPS volunteers could be utilized in documenting the problem properties and then submit a report to the Sheriff or the Building Department for enforcement of nuisance codes.

CDBG FIRST PUBLIC HEARING _____ :

Dale Brinkerhoff made a motion to open a public hearing to consider potential projects for which funding may be applied under the CDBG Small Cities Program for Program Year 2012. Second by Dan Webster. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; Dan Webster, Aye.

Commissioner Alma Adams, opened the public hearing for the CDBG program and stated that this hearing is being called to consider potential projects for which funding may be applied under the 2012 Community Development Block Grant Program. It was explained that the grant money must be spent on projects benefitting primarily low and moderate-income persons. The Five County Association of Governments in which Iron County is a member, is expecting to receive approximately \$800,000 plus/minus in this new program year. Approximately \$300,000 will be available for regional allocation after pre-approved (Five County AOG, program administration and program delivery).

All eligible activities that can be accomplished under this program are identified in the CDBG Application Guide and interested persons can review it at any time.

Commissioner Adams read several of the eligible activities listed including, Construction of public works and facilities, i.e: water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. Also eligible are loan programs for private businesses which would then hire low income persons and the program can also pay for housing rehabilitation for low income homeowners or for persons owning rental housing for lower income persons.

Commissioner Adams reported that in the past Iron County has received funding through the CDBG program including the following:

1. Iron Co./Beryl area (\$20,000) 1982 fire project

2. Iron Co./Senior Center (\$100,000) 1985 Cedar Senior Citizens Center
3. Iron Co./Summit SSD (\$20,300) 1986 water project
4. Iron Co./Senior Center (\$30,000) 1986 Cedar Senior Citizens Center
5. Iron Co./Iron Parke, Inc. (\$34,650) 1994 ADA modifications
6. Iron Co./County Council on Aging (\$27,661) 1995 Cedar Senior Citizens Center ADA modifications
7. Iron Co./Beryl-New Castle (\$23,332) 1995 Community Center ADA modifications
8. Iron County (\$150,000) 1995 Ambulance Garage - Cedar
9. Iron Co./New Castle (\$71,000) 1998 Fire Station
10. Iron County (\$150,000) 2002 Ambulance Garage – Parowan
11. Iron County (\$240,000) 2004-05 Cedar Senior Citizens Center Expansion
12. Iron County (\$76,441) 2004 Meals on Wheels Delivery Trucks
13. Iron County (\$300,000) 2007-08 Parowan Senior Citizens Center
14. Iron County/County Council on Aging Public Service (\$ 62,560) 2009 (Two meals-on-wheels trucks)

The County has handed out its capital investment plan as part of the regional “Consolidated Plan”. This list shows which projects the County has identified as being needed in the community.

It was requested that anyone with questions, comments or suggestions during the hearing please identify themselves by name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing.

Marvin Bracken, Beryl Fire Department representative, commented that the Beryl Fire Department would like to submit a request for funding of an expansion of the Beryl Fire Station to accommodate larger trucks with a drive through capability and to construct training and office space. It would also be a priority to drill a well and set a pump with enough capacity to provide water to refill water tender trucks quickly in case of fighting fires. The area is so rural that there is not a community water system and water must be hauled to fight fires.

The Commission responded that the Beryl area is pre qualified for a grant having a survey completed in 2010. The project will need to be added to the capital improvement list and matching funds appropriated. A well would require a water right which could be transferred to the site.

Commissioner Adams then asked if there were any other suggestions? Hearing no further questions or comments, the hearing was adjourned at 2:00 p.m.

PRAIRIE DOG MATTERS _____ :

The Commission reported that Road Department was prepared to start clearing brush on the Cedar City sewer property in preparation to develop as prairie dog habitat. The area may be ready to receive transplanted prairie dogs by the summer of 2012. The project will clear 650 acres to start and the habitat area may be expanded in the future.

RUDD'S ROOST USE AGREEMENT APPROVAL AND SIGNATURES :

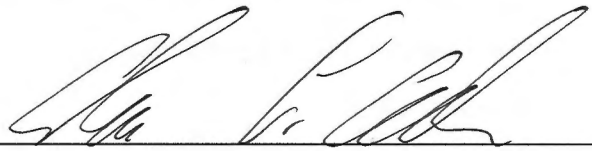
An agreement to continue use of the Rudd's Roost between Iron County and the State of Utah was presented for signatures. Dale Brinkerhoff made a motion to approve the contract extension and to authorize the Chair to sign the agreement. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

CORRECTIONS AUTHORIZATION FOR TAKE HOME VEHICLES :

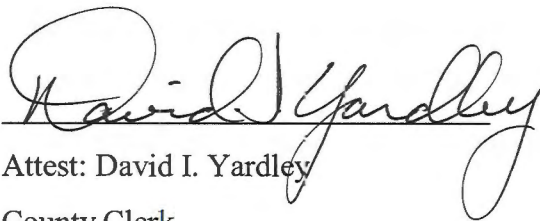
Documentation was presented from the Sheriff's Department/Corrections for authorization for take home vehicles for the Maintenance Supervisor and the Jail Commander. Dan Webster made a motion to approve the take home vehicle authorization for the two officers. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

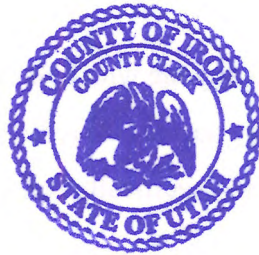
ADJOURN :

The meeting was adjourned at 2:00 p.m. on a motion by Dan Webster. Second was by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman


Attest: David I. Yardley
County Clerk



**IRON COUNTY COMMISSION MEETING
December 12, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. December 12, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Maria Twitchell	Tourism Director
Charles Morris	Parks/Recreation/Emergency Services
Ronald Johnson	Ambulance Director
Jared Wilson	IT Director

SYNOPSIS :

ADJOURN	7
APPROVAL OF COMMISSION MEETING SCHEDULE FOR 2012	6
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FINAL BUDGET HEARING 2012 BUDGET YEAR	3
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RESOLUTION 2011-8 UCIP INTERLOCAL AGREEMENT APPROVAL	4
REVIEW AND ACTION ON TAX ABATEMENTS	4
SOLID WASTE ORDINANCE DISCUSSION	4

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Dale Brinkerhoff.

APPROVAL OF MINUTES November 28, 2011 :

Minutes of the Iron County Commission meeting held November 28, 2011 were approved on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Maria Twitchell reported that as of September the transient room tax (TRT) was up about 5% over 2010 levels. There are factors that may decrease the overall TRT for the entire year including the landslide on State Route 14 in Cedar Canyon. Brian Head is working to provide parking and access to Cedar mountain with snow mobile trails for this winter. As repairs continue into next summer.

Maria also reported that Shakespeare was preparing several less known plays for the 2012

season. This could reduce the number of people attending the plays. One bright spot however is that Les Miserable will be the major production in the Randall theater and will run both summer and fall. It will be the only production of this play in the west and it typically plays to sold out crowds wherever produced.

Other items of interest included the solar eclipse in May with a prime viewing area near Kanarraville. Turnout may not be as large as first anticipated. The Society of American Travel Writers will be holding their annual conference in Cedar City next year. This could bring great coverage of the area to may travel magazines and publications. She requested Commission and County participation in welcoming the writers to Iron County.

Charles Morris reported that the contract janitorial service cleaning the restrooms at Three Peaks have done a good job and he is pleased with the results of their work. Other use including paint balls and partying are still problems. He requested that the prisoner work crew still be made available for cleanup and repairs. He also reported on maintenance at Woods Ranch that has been terminated until access is available next year.

Charlie reported on grants received through emergency management. Eight grants have been funded this year with three completed. Two additional grants will expire December 31, 2011.

Reverse 911 is working well. Paragonah and New Harmony have not paid their assessment fees. New Harmony is concerned that the town is being billed for residents in New Harmony valley outside of the city limits.

Jared Wilson reported that the IT Department has a large workload however the Department is keeping up with demand. Colorado software used by the Assessor's Office has been installed and appears to be working well for new data. The data conversion from Eagle has not been completed as there continue to be issues. Voice over IP phone service continues to move forward with fiber optics lines being installed at the remaining office buildings not currently served. Jared also discussed the public surplus website access which can be used to list County surplus items. A test run of used computer equipment will be done in the near future. Vehicles can be listed and the site will be used if suitable bids are not received from local advertising.

Ronald Johnson reported that 911 calls are down from 2010 levels but transports to other facilities are up. The ambulance budget for the year will be over in vehicle expenses due to increases in fuel prices this year. Ron discussed the need for temporary EMT's to cover Brian Head during peak times of the ski season. Holiday weekends the population at Brian Head is the second largest city in the County. To provide coverage EMT's are staged at Brian Head to provide emergency services.

Ron also reported that a new EMT class will be sponsored by Iron County beginning January 2, 2012 with emphasis on the rural areas of the County, Brian Head, Parowan and the Beryl/Newcastle areas.

FINAL BUDGET HEARING 2012 BUDGET YEAR _____ :

Dan Webster made a motion to open a public hearing to receive comments on the 2012 proposed County budget. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Gene Adams, Iron County Auditor, introduced the proposed budget and explained changes from requests and the current proposal. He explained funding on a line item for a track hoe in the Engineering Department. The purchase price was adjusted to reflect turn in value of the current equipment.

After explaining the proposed budget the meeting was opened to public comments.

Don Young passed a handout out to the Commission. He then commented that he felt the cost of government was too high and that a business in the private sector could not operate the way the County does by paying people that do not produce an end product. He again stated that the County should dedicate PILT payments from the Federal Government to the municipal service fund and that County residents should not be taxed for municipal type services.

Don continued and commented that on the fire suppression budget including the wildland fire fund and the Paragonah fire department. He pointed out that the entire budget for fire suppression is paid by the County with no funding coming from the Paragonah general fund. He also pointed out that Paragonah still does not pay for law enforcement coverage provided by the County. He stated that it is not fair to County residents to pay for fire suppression in Paragonah with funds collected from County taxes. Funding from the Municipal Service Tax should not be used to pay for municipal services within incorporated areas.

Wendell Shallenburger commented that he was disappointed in the Commission that the budget does not reflect a total savings over the 2011 budget. He pointed out that the County Administrator office was eliminated in July, however the budget was transferred to the Planning Department with no savings. He also noted that the HR Director resigned but the budget does not reflect a savings. Wendell then listed several line items that show increases over 2011. He pointed out what he determined to be cost shifts and revised allocations in the budget.

Don Young then commented that he felt the Weed Department budget should be transferred and funded from the general fund instead of the municipal service fund because control of weeds benefitted the whole County.

David Miller commented that the County needed to reduce expenditures and taxes including reducing services to get the budget under control and to prevent tax increases in the future.

After all public comments were received Dan Webster made a motion to close the public hearing. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY RESTAURANT TAX BOARD _____ :

Rusty Aiken, Restaurant Tax Board, present 2012 small project funding requests for approval. Four projects were recommended as follows:

Utah Shakespeare Festival	\$5,600	Picnic Tables
Frontier Homestead	\$5,000	Activity Stations
Iron County Fair	\$21,307	Wiring, Fencing, Announcers Stand
Enoch Recreation	\$15,300	Gravel for Parking Lot, Concession Stand

After receiving the recommendation, Dan Webster made a motion to approve the project requests for a total of \$47,207 for the 2012 budget year. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

SOLID WASTE ORDINANCE DISCUSSION :

A discussion of Ordinance 122 an amended ordinance designating the territory and determining and establishing the boundaries of the County Service Area No. 1 providing for the service of collection and disposal of solid waste and providing for the collection of fees and revenues therefor as provided in Title 17, Chapter 34, Section 1, et Seq. And, and Title 17a, Chapter 12, Section 401 et Seq., Utah Code Annotated, 1953 as amended was tabled to allow additional time to discuss in detail possible amendments.

REVIEW AND ACTION ON TAX ABATEMENTS :

Gene Adams presented late or adjusted applications for low income, homeowners tax credits, blind and veterans abatements for the 2011 tax year submitted between October 3, 2011 and November 31, 2011. Fourteen applicants with a total tax adjustment of \$10,516.28 were included and have met the qualifications for tax adjustments. Dan Webster made a motion to approve the tax adjustments as presented and qualified by the Auditor's office. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION 2011-8 UCIP INTERLOCAL AGREEMENT APPROVAL :

A proposed resolution approving and authorizing the execution of a fifth amended interlocal cooperation agreement with others members of Utah Counties Indemnity Pool, relating to the establishment, funding and operation of Utah Counties Indemnity Pool was presented and discussed. The purpose of the amendment is to change the name from Utah Counties Insurance Pool to the Utah Counties Indemnity Pool.

The name change was recommended by the Board and staff of UCIP to clarify to organizations working with counties that UCIP is not an insurance company. The Pool, as an Interlocal agency, can only do those things jointly that individual counties have the authority to do on their own. As no individual county can issue a policy of insurance, the Pool cannot provide insurance. Counties can self-insure their property exposures, and can utilize a Liability Reserve Fund to finance their liability losses. The Pool was created to allow the counties to self-insure property losses and maintain a Liability Reserve Fund jointly.

Dale Brinkerhoff made a motion to adopt Resolution 2011-8 as presented and to authorize the Commission Chair to sign the fifth amended interlocal agreement. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY RESOLUTION NO. 2011-8

RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A FIFTH AMENDED INTERLOCAL COOPERATION AGREEMENT WITH OTHER MEMBERS OF UTAH COUNTIES INDEMNITY POOL, RELATING TO THE ESTABLISHMENT, FUNDING AND OPERATION OF UTAH COUNTIES INDEMNITY POOL

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953 as amended, and the Utah Insurance Code, Title 31A, Chapter 1, et seq, Utah Code Annotated, 1953 as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements to provide services and facilities; and

WHEREAS, the County Commission of Iron County, Utah, has determined that the interests and welfare of the public within Iron County's jurisdiction will best be served by a Fifth Amended Interlocal Cooperation Agreement with other members of Utah Counties Indemnity Pool relating to the establishment, funding and operation of Utah Counties Indemnity Pool.

NOW, THEREFORE, be it resolved by the County Commission of Iron County, Utah, that Iron County approve and authorize the Commission Chair to execute a Fifth Amended Interlocal Cooperation Agreement with other members of Utah Counties Indemnity Pool relating to the establishment, funding and operation of Utah Counties Indemnity Pool.

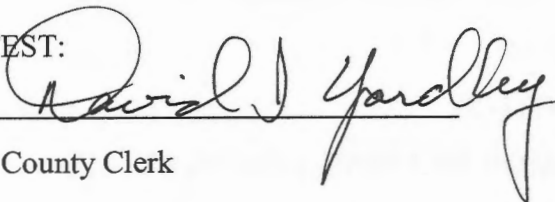
APPROVED AND ADOPTED this 12th day of December, 2011.

IRON COUNTY COMMISSION

By: 

Iron County Commission Chair

ATTEST:

By: 
Iron County Clerk



APPROVED AS TO FORM:

By: 

Iron County Attorney (Deputy)

RAP TRAINING :

Vicki Nielsen presented RAP training for weeks forty four and forty five. Week forty four training consisted of training on standard operating procedures for employees. Every organization has its own set of policies, procedures and practices. This presentation is intended to reinforce the company's important human resource or personnel policies. Having a good understanding of these policies will assist you in completing daily tasks as well as reinforce the organization's practices and expectations. These SOP's define what is important to an organization and the scope of permissible employee discretion. Policies discussed included attendance / tardiness; conduct at work; disciplinary and grievance process; performance evaluations; sick leave and FMLA; substance abuse; and workplace harassment.

Week forty five training covered off the job safety. Most employees have been trained to work safely on the job, but these same workers will think nothing of taking shortcuts when working at home. Safety practices learned at work are meant for your protection and the protection of anyone around you. But these same practices should be followed at home or anytime you are working. It really doesn't matter where you lost your hearing, a finger, or an eye. The fact is you lost it, and it will affect your quality of life, and your ability to work and provide for your family. Safe work practices are just exactly that, "safe work practices," and should be followed at all times.

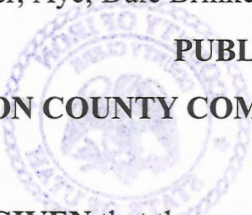
PERSONNEL MATTERS :

Vicki Nielsen presented a request to transfer Sandra Capps, a part time employee from the Council On Aging to the Justice Court as a part time employee. Dan Webster made a motion to approve the transfer from Council on Aging to the Justice Court of Sandra Capps. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

Vicki also presented a workforce justification to replace a full time position within the Ambulance Department. A full time Paramedic has resigned and the position would be advertised and filled within the Department. Dan Webster made a motion to approve the replacement of a full time Paramedic within the Ambulance Department. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

APPROVAL OF COMMISSION MEETING SCHEDULE FOR 2012 :

Dale Brinkerhoff made a motion to adopt the following Commission meeting schedule for 2012 and to authorize publication of the schedule. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



PUBLIC NOTICE

2012 IRON COUNTY COMMISSION MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the regular Iron County Commission meetings for 2012 have been scheduled on the following dates:

- | | |
|-------------|-------------|
| January 9 | January 23 |
| February 13 | February 27 |

March 12	March 26
April 9	April 23
May 14	May 29 (Tuesday)
June 11	June 25
July 9 (Canvass Primary Election)	July 23
August 13	August 27
September 10	September 24
October 8	October 22
November 13 (Tuesday)	November 19 (Canvass General Election)
November 26	
December 10 (Final Budget Hearing 10:30 A.M.)	
December 17 (Adopt Final Budget for 2013)	

Meetings will be held in the Iron County Commission Chambers, 68 South 100 East, Parowan, UT beginning at 9:00 A.M.

Persons or groups wishing to address the Commission must make an appointment and provide all pertinent documentation with the Iron County Clerk by the **Monday preceding the scheduled Commission meeting**. Agenda items must be approved by a Commissioner prior to inclusion on an agenda. Contact information for County Clerk: Iron County Clerk, 68 S 100 East, P.O. Box 429, Parowan, UT 84761 Fax: (435) 477-8847; Phone (435) 477-8340. **Agenda is closed at 5:00 p.m. on the Monday preceding scheduled meeting. No late or incomplete agenda items will be accepted. All action items must be included on the agenda to be considered.**

BOARD OF IRON COUNTY COMMISSIONERS

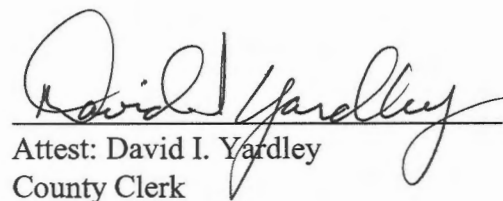
David I. Yardley
Iron County Clerk

ADJOURN _____ :

The meeting was adjourned at 12:10 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman



Attest: David I. Yardley
County Clerk



**IRON COUNTY COMMISSION MEETING
December 19, 2011**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. December 19, 2011 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Daniel L. Webster	Commissioner
Dale M. Brinkerhoff	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Chad Nay	Zoning Administrator
Steven Platt	County Engineer
Robert Twitchell	Assistant County Road Supervisor
Jaren Scott	Landfill Supervisor

SYNOPSIS :

ADJOURN AS COUNTY COMMISSION AND CONVENE AS MBA	8, 18
ADJOURN AS MBA AND RECONVENE AS COUNTY COMMISSION	15
CEDAR CITY TAX REIMBURSEMENT	15
NOTIFICATION OF PROPOSED CONDITIONAL USE PERMITS	17
PERSONNEL MATTERS	18
PLEDGE OF ALLEGIANCE	1
RAP TRAINING	18
REPORTS	1
RESOLUTION 2011-10 ADOPTION OF 2012 BUDGET	15
RESOLUTION 2011-11 AMENDING 2011 BUDGET	16
RESOLUTION 2011-9 PARAMETERS RESOLUTION	2
RESOLUTION MBA 2011-1 AUTHORIZING RESOLUTION	8
TAX MATTER CEDAR BUILDING ASSOCIATES	15

PLEDGE OF ALLEGIANCE :

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

APPROVAL OF MINUTES December 12, 2011 :

Minutes of the Iron County Commission meeting held December 12, 2011 were approved on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Chad Nay reported that building permits issued in 2011 correspond closely with permits issued in 2010. With the loss of personnel in the Department, the RIF of one employee and the transfer of another to building maintenance, the workload is falling behind and it is starting to affect the operation of the Department. The building inspection budget will be significantly less than projected while the Zoning budget will be over due to the transfer of the Administrator into the County Planner position within the Department.

Steve Platt reported on projects being worked by the Engineer's office. Of significance is the Shoal Creek and Holt Canyon flooding projects. There is money available however agreements need to be reached with Mason and Steven Jones and Ence's for access and development of flood controls. The Yankee Meadows project will resume in the spring when the road will be resurfaced between SR 143 and the Five Mile campground. Another project in the works will be road improvements for a coal load out facility for Alton Coal.

Robert Twitchell, Assistant Road Supervisor, reported that road improvements on the Webster Flat road halted due to snow. When the landslide occurred on SR 14, it severely limited access from Cedar City to projects on Cedar mountain. In addition early snowstorm required hauling and crushing additional cinders and salt for winter road maintenance. Another project the Road Department is working on is improving 2200 North in Parowan valley between Day Lane and 2200 West. Fencing is being bid to widen the right of way in preparation of chip sealing the road.

Jaren Scott reported that landfill and collection revenues are in line with projections while budget expenditures are lower than anticipated. He also noted that due to injuries or illness he has been short staffed which has resulted in over time for some employees. He anticipated that staffing would be back to normal after January 1.

Jaren reported that a new trash application loader was purchased at a significantly lower price than was budgeted which helped keep expenditures lower. Household and construction waste tonnage is comparable to 2010 levels which shows the economy is steady.

Dale Brinkerhoff presented the independent audit report for Southwest Utah Public Health for FY 2010/2011.

Alma Adams presented information on the County Seat program and indicated that Iron County will be participating again this year. The agreement to participate was executed by the Commission Chair. Alma also reported that the Notice of Intent to Sue regarding RS 2477 roads was filed on December 12, 2011 by the State of Utah.

RESOLUTION 2011-9 PARAMETERS RESOLUTION _____ :

Alma Adams introduced and explained the purpose of Iron County Resolution 2011-9 authorizing and approving the execution of an annually renewable master lease agreement, dated as of January 1, 2012, by and between Iron County and the Municipal Building Authority of Iron County, Utah (the "authority"), authorizing the issuance and sale by the authority of its taxable lease revenue bonds, series 2012, in the aggregate principal amount of not to exceed \$97,000 (the "series 2012 bonds"); authorizing the execution of a master resolution, and other documents required in connection therewith; authorizing the acquisition of two light-duty ambulances and other related equipment (the "equipment"); authorizing the taking of all other actions necessary to the consummation of the transaction contemplated by this resolution; and related matters.

After reviewing the proposed resolution, Dan Webster made a motion to adopt Resolution 2011-9 as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

**IRON COUNTY
RESOLUTION NO. 2011-9**

A RESOLUTION OF THE COUNTY COMMISSION OF IRON COUNTY, UTAH (THE "COUNTY"), AUTHORIZING AND APPROVING THE EXECUTION OF AN ANNUALLY RENEWABLE MASTER LEASE AGREEMENT, DATED AS OF JANUARY 1, 2012, BY AND BETWEEN IRON COUNTY AND THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH (THE "AUTHORITY"), AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS TAXABLE LEASE REVENUE BONDS, SERIES 2012, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$97,000 (THE "SERIES 2012 BONDS"); AUTHORIZING THE EXECUTION OF A MASTER RESOLUTION, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE ACQUISITION OF TWO LIGHT-DUTY AMBULANCES AND OTHER RELATED EQUIPMENT (THE "EQUIPMENT"); AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the County is a political subdivision and body politic duly and regularly created, established, organized, and existing under and by virtue of the Constitution and laws of the State of Utah; and

WHEREAS, 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 previously adopted resolution (the "Creating Resolution"); and

WHEREAS, pursuant to 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 Local Building Authority Act, Title 17D, Chapter 2, 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, pursuant to the Master Lease Agreement dated as of January 1, 2012, between the Authority and the County (the "Master Lease") the District will lease, as lessee, on an annually renewable basis, in substantially the form presented to this meeting and attached hereto as Exhibit A and herein authorized and approved, the vehicles, including an ambulance, road grater, and rescue equipment and voice and data recorder/server and other related equipment, (the "Equipment") from the Authority to be used by the District in the performance of its public purposes; and

WHEREAS, the Authority proposes to of acquiring the Equipment from the proceeds of the sale of the Series 2012 Bonds, to be issued pursuant to the terms and provisions of a Master Resolution (the "Master Resolution") dated as of January 1, 2012, in substantially the form presented to this meeting and attached hereto as Exhibit B; and

WHEREAS, the Series 2012 Bonds shall be payable solely from the rents, revenues and other income derived by the Authority from the leasing of the Equipment 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 Master Lease; and

WHEREAS, the Authority will adopt a resolution on December 19, 2011 (the "Authorizing Resolution"), which authorizes and approves the execution of the Master Lease, the issuance and sale by the Authority of its Series 2012 Bonds, the execution of the Master Resolution and other documents required in connection therewith, and the financing of acquisition of the Equipment; and

WHEREAS, it is anticipated that the State of Utah Permanent Community Impact Fund Board (the "Purchaser") will purchase the Series 2012 Bonds and the Authority desires to sell the Series 2012 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 County Commission authorize certain actions by the Authority in connection with the transactions contemplated by the Master Lease, the Master Resolution and the Series 2012 Bonds; and

WHEREAS, the Chair of the County and other officials of the County have presented the Master Lease to the County Commission for the purpose of obtaining the approval of the County

Commission of the terms and provisions thereof and for the purpose of confirming the execution thereof as the official act of the County Commission:

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

1. All action heretofore taken (not inconsistent with the provisions of this resolution or the Creating Resolution) by the County Commission and by the officers of the County directed toward the creation and establishment of the Authority and the leasing of the Project by the County are hereby ratified, approved and confirmed.
2. The County Commission finds and determines, pursuant to the Constitution and laws of the State of Utah, that the leasing of the Equipment under the terms and provisions and for the purposes set forth in the Master Lease and the other documents, instruments and conveyances hereinafter approved and authorized, is necessary, convenient and in furtherance of the governmental and proprietary purposes of the County and is in the best interest of the citizens of the County.
3. The Master Lease in the form presented to this meeting and attached hereto as Exhibit A is in all respects approved, authorized and confirmed and the Chair of the County is authorized to approve the final terms thereof and to execute and deliver the Master Lease in the form and with substantially the same content as set forth in Exhibit A for and on behalf of the County. The appropriate officials of the Authority are authorized to approve the final terms and to execute the Master Lease on behalf of the Authority in the form and with substantially the same content as set forth in Exhibit A for and on behalf of the Authority.
4. The appropriate officials of the Authority are authorized to execute and deliver the Master Resolution and in the form and with substantially the same content as set forth in Exhibit B, for and on behalf of the Authority.
5. The Authority is authorized to issue the Series 2012 Bonds in the aggregate principal amount of not to exceed \$97,000, and to sell the Series 2012 Bonds at a purchase price to be determined by the Chair or Chair pro tem of the Governing Board of the Authority (the "Chair"). The Series 2012 Bonds shall be dated, shall bear no interest, shall be issued as fully registered bonds, and shall mature as provided in the Master Resolution.
6. The Chair is hereby authorized, on behalf of the Authority, to award the sale of the Series 2012 Bonds to the Purchaser.

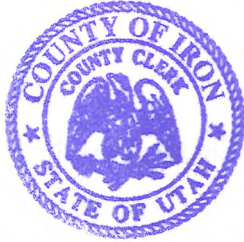
7. The form, terms and provisions of the Series 2012 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Master Resolution in the form to be executed by the Authority. The Series 2012 Bonds shall mature prior to the expiration of the estimated useful life of the Project. The Chair is hereby authorized to execute the Series 2012 Bonds, to place thereon the seal of the Authority, and to deliver the Series 2012 Bonds to the Purchaser. The Secretary of the Governing Board of the Authority (the "Secretary") is authorized to attest to the signature of such Chair and to affix the seal of the Authority to the Series 2012 Bonds and to authenticate the Series 2012 Bonds. The signatures of the Chair and Secretary may be by facsimile or manual execution.
8. The appropriate officers of the County are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate the transaction contemplated hereby, 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 2012 Bonds.
9. Upon their issuance, the Series 2012 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2012 Bonds and the Master Resolution. No provision of this resolution, the Master Lease, the Master Resolution, the Series 2012 Bonds, 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 of making any payment in respect of the Series 2012 Bonds, except in connection with the payment of the Base Rentals, Additional Rentals and Purchase Option Price pursuant to the Master 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 Master Lease.
10. The Chair of the County is hereby authorized to make any alterations, changes or additions in the Master 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 or the United States.
11. The appropriate officials of the Authority are authorized to make any alterations, changes or additions in the Master Lease and the Master Resolution 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.

12. 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.
13. 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 Master Lease. The Chair of the County 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.
14. The Secretary 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 Master Lease, the Master Resolution, and any other documents authorized, necessary or proper pursuant to this Resolution or any Resolution of the Authority. The appropriate officials of the Authority, and each of them, are hereby authorized to execute and deliver for and on behalf of the Authority any or all additional certificates, documents and other papers to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this resolution and any resolution of the Authority.
15. All regulations, orders, and resolutions of the County or parts thereof inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any regulation, order, resolution or ordinance or part thereof.
16. This resolution shall become effective immediately upon adoption by the County Commission.

PASSED BY THE COUNTY COMMISSION OF IRON COUNTY, UTAH, THIS
DECEMBER 19, 2011.

(SEAL)



By: _____
Chair

ATTEST AND COUNTERSIGN:

By: David J. Gardley
County Clerk

ADJOURN AS COUNTY COMMISSION AND CONVENE AS MBA :

The Commission temporarily adjourned as the County Commission to conduct business as the Municipal Building Authority of Iron County, Utah on a motion by Dan Webster. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION MBA 2011-1 AUTHORIZING RESOLUTION _____ :

Board Chairman Alma Adams presented for consideration Resolution MBA 2011-1 a resolution of the Municipal Building Authority of Iron County, Utah (the "authority") establishing the officers of the authority; authorizing the issuance and sale of not more than \$97,000 aggregate principal amount of taxable lease revenue bonds; delegating to certain officers of the authority the power to approve the final terms and provisions of the series 2012 bonds within the parameters set forth herein; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the publication of a notice of public hearing and bonds to be issued; providing for the running of a contest period; authorizing the execution by the authority of a master resolution, an annually renewable master lease agreement, and other documents necessary for the issuance of the bonds; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and related matters.

After explaining the purpose of the resolution Dan Webster made a motion to adopt Resolution MBA 2011-1 as follows. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

**MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH
RESOLUTION NO. MBA 2011-1**

A RESOLUTION OF THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH (THE "AUTHORITY") ESTABLISHING THE OFFICERS OF THE AUTHORITY; AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$97,000 AGGREGATE PRINCIPAL AMOUNT OF TAXABLE LEASE REVENUE

BONDS; DELEGATING TO CERTAIN OFFICERS OF THE AUTHORITY THE POWER TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SERIES 2012 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING THE EXECUTION BY THE AUTHORITY OF A MASTER RESOLUTION, AN ANNUALLY RENEWABLE MASTER LEASE AGREEMENT, AND OTHER DOCUMENTS NECESSARY FOR THE ISSUANCE OF THE BONDS; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1959, as amended (the "Act"), the Board of the Authority, has the power to issue its Taxable Lease Revenue Bonds, Series 2012 (the "Series 2012 Bonds") for the purpose of financing the acquisition of two light-duty ambulances and other related equipment (the "Equipment") for the benefit of Iron County (the "County), and (b) paying costs of issuance of the Series 2012 Bonds; and

WHEREAS, the Act and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated, as amended, provide for the publication of a Notice of Public Hearing and Bonds to Be Issued, and the Authority desires to publish such notice at this time in compliance with the Act with respect to the Series 2012 Bonds; and

WHEREAS, there has been presented to the Board at this meeting the form of (a) a Master Resolution (the "Master Resolution"), and (b) a Master Lease Agreement (the "Master Lease"); and

WHEREAS, it is anticipated that the Authority will sell the Series 2012 Bonds to the State of Utah Permanent Community Impact Fund Board (the "Purchaser"); and

WHEREAS, in order to allow the Authority flexibility in setting the pricing date of the Series 2012 Bonds, the Board desires to grant to the Chair or Chair pro tem of the Authority the power to approve the principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2012 Bonds shall be sold and any changes with respect thereto from

those terms which were before the Board at the time of its adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in Section 1 of this Resolution (the "Parameters").

NOW, THEREFORE, it is hereby resolved by the Governing Board of the Municipal Building Authority of Iron County, Utah, as follows:

Section 1. The Board hereby finds and determines that it is in the best interests of the Authority and its residents to issue not more than Ninety-Seven Thousand Dollars (\$97,000) aggregate principal amount of the Authority's Taxable Lease Revenue Bonds, Series 2012, to bear no interest, to mature in not more than eight (8) years from their date or dates, and to be sold at a price not less than one hundred percent (100%) of the total principal amount thereof for the purpose of (I) financing the acquisition of the Equipment, and (ii) paying costs of issuance, all pursuant to this resolution (this "Resolution"), a Master Resolution to be entered into at or before the time of issuance of the Series 2012 Bonds substantially in the form attached hereto as Exhibit B, and a Master Lease substantially in the form attached hereto as Exhibit C, and a Security Agreement substantially in the form attached hereto as Exhibit D. The issuance of the Series 2012 Bonds shall be subject to the final approval of Bond Counsel and to the approval of the Attorney for the Authority.

Section 2. The Master Resolution the Security Agreement, and the, Master Lease are hereby authorized, approved, and confirmed. The Chair or Chair pro tem and the Secretary are hereby authorized to execute and deliver the Master Resolution, the Security Agreement, and the Master Lease in substantially the same form and with substantially the same content as the forms presented at this meeting for and on behalf of the Authority with final terms as may be established by the Chair or Chair pro tem for the Series 2012 Bonds within the Parameters set forth herein and with such alterations, changes or additions as may be necessary or as may be authorized by Section 10 hereof. The Chair or Chair pro tem is hereby authorized to specify and agree as to the final principal amounts, terms, discounts, maturities, redemption features and purchase price with respect to the Series 2012 Bonds for and on behalf of the Authority and any changes thereto from those terms which were before the Board at the time of adoption of this Resolution, provided such terms are within the Parameters set by this Resolution.

Section 3. The appropriate officials of the Authority are authorized to make any alterations, changes or additions to the Master Resolution, the Security Agreement, the Master Lease, the Series 2012 Bonds, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2012 Bonds (within the Parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the

provisions of this Resolution or any resolution adopted by the Board or the provisions of the laws of the State of Utah or the United States.

Section 4. The form of Master Resolution attached hereto as Exhibit B is in all respects hereby authorized and approved, and the Chair or Chair pro tem and Secretary are hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 5. The form of Master Lease attached hereto as Exhibit C is in all respects hereby authorized and approved, and the Chair or Chair pro tem and Secretary are hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 6. The form of Security Agreement attached hereto as Exhibit D is in all respects hereby authorized and approved, and the Chair or Chair pro tem and Secretary are hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 7. The form, terms, and provisions of the Series 2012 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Master Resolution. The Chair or Chair pro tem and Secretary are hereby authorized and directed to execute and seal the Series 2012 Bonds and to deliver said Series 2012 Bonds to the Purchaser. The signatures of the Chair or Chair pro tem and the Secretary may be by facsimile or manual execution.

Section 8. Upon their issuance, the Series 2012 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2012 Bonds and the Master Resolution. No provision of this Resolution, the Master Resolution, the Security Agreement, Master Lease, the Series 2012 Bonds, or any other instrument, shall be construed as creating a general obligation of the Authority, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Authority or its taxing powers.

Section 9. The appropriate officials of the Authority, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Authority any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 10. After the Series 2012 Bonds are delivered to the Purchaser, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the Series 2012 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Master Resolution.

Section 11. The forms of Master Resolution, the Security Agreement, and Master Lease authorized and approved hereby are authorized and approved with such additions, modifications, deletions, and changes thereto as may be deemed necessary or appropriate and approved by the County Attorney. The execution thereof by the Chair or Chair pro tem on behalf of the Authority shall conclusively establish such necessity, appropriateness, and approval with respect to all such additions, modifications, deletions, and changes incorporated therein.

Section 12. The Authority shall hold a public hearing on Monday, January 9, 2012, to receive input from the public with respect to the issuance of the Bonds, which hearing date shall be not less than fourteen (14) days after notice of the public hearing is (A) first published once a week for two consecutive weeks in The Spectrum, a newspaper of general circulation in the County, (B) published on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended, and (C) posted on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The Secretary shall also cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the office of the County Clerk in Iron County, Utah, for public examination during the regular business hours of the County for a period of at least thirty (30) days from and after the last date of publication thereof. The Authority directs its officers and staff to publish a Notice of Public Hearing and Bonds to be Issued in substantially the following form:

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN that on December 19, 2011, the Governing Board (the “Board”) of the Municipal Building Authority of Iron County, Utah (the “Authority”) adopted a resolution (the “Resolution”) declaring its intention to issue its Taxable Lease Revenue Bonds, Series 2012 pursuant to the Utah Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended, and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, and calling a public hearing to receive input from the public with respect to the issuance of the Bonds.

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Authority shall hold a public hearing on Monday, January 23, 2011, at the hour of 10:00 a.m.. The location of the public hearing is at 68 South 100 East, Parowan, Utah. The purpose of the meeting is to receive input from the public with respect to (I) the issuance of the Bonds and (ii) any potential economic impact that the improvements, facility or property financed in whole or in part with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING BONDS

The Authority intends to issue the Bonds for the purpose of (I) acquiring two light-duty ambulances and other related equipment, (the "Equipment") and (ii) paying issuance expenses to be incurred in connection with the issuance of the Bonds.

PARAMETERS OF THE BONDS

The Authority intends to issue the Bonds in the principal amount of not to exceed Ninety-Seven Thousand Dollars (\$97,000), to mature in not more than eight (8) years from their date or dates, to be sold at a price not less than one hundred percent (100%) of the total principal amount thereof, and bearing no interest.

The Bonds are to be issued and sold by the Authority pursuant to the Resolution, including as part of said Resolution, the draft of a Master Resolution, (the "Master Resolution"), and a Master Lease Agreement (the "Master Lease") which were before the Governing Board and attached to the Resolution at the time of the adoption of the Resolution and said Master Resolution and Master Lease are to be adopted by the Governing Board in such form and with such changes thereto as shall be approved by the Governing Board upon the adoption thereof; provided that the principal amount, interest rates, maturity, and discount of the Bonds will not exceed the maximums set forth above.

Copies of the Resolution, the Master Resolution, and the Master Lease are on file in the office of the Secretary of the Authority located at 68 South 100 East, Parowan, Utah, where they may be examined during regular business hours of the Secretary from 8:30 a.m. to 5:00 p.m. Monday through Friday, for a period of at least thirty (30) days from and after the last date of publication of this notice.

SECURITY FOR THE SERIES 2012 BONDS

This Series 2012 Bonds are to be issued under and secured by and entitled to the protection of the Master Resolution, pursuant to which all base rentals payable by the County under the Master Lease and, if paid by the County, the Purchase Option Price, are assigned to secure the payment of principal of, premium, if any on the Series 2012 Bonds. Additionally, a security interest in the Project shall be granted to the holders of this Series 2012 Bonds pursuant to the Master Lease, to further secure the Authority's obligations under the Master Resolution.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the last 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 Master Resolution, Master Lease, or any provision made for the security and payment of the 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 the Authority, may sign a written petition requesting an election to authorize the issuance of the Bonds. If written petitions which have been signed by at least twenty percent (20%) of the registered voters of the Authority are filed with the Authority during said thirty (30) day period, the Authority shall be required to hold an election to obtain voter authorization prior to the issuance of the Series 2012 Bonds. If fewer than twenty percent (20%) of the registered voters of the Authority file a written petition during said thirty (30) day period, the Authority may proceed to issue the Bonds without an election.

DATED this December 19, 2011.

/s/David Yardley
Secretary

Section 13. The Authority hereby expresses its intent that funds of the Board or the Authority may be advanced for Project costs and that it intends to reimburse such costs from proceeds of the Bonds.

Section 14. The Authority hereby reserves the right to opt not to issue the Series 2012 Bonds for any reason.

Section 15 All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this December 19, 2011.

(SEAL)



By: _____

Chair

ATTEST:

By: _____

Secretary

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)



By: _____

Chair

ATTEST:

By:

Secretary

ADJOURN AS MBA AND RECONVENE AS COUNTY COMMISSION :

At the conclusion of all of the business on the agenda for the special meeting of the Municipal Building Authority of Iron County, Utah, Dan Webster made a motion to close the meeting and reconvene as the Board of Iron County Commissioners. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

CEDAR CITY TAX REIMBURSEMENT :

A request to reimburse Cedar City for taxes paid on property purchased from SY Corporation for a road way was recalled for action. The taxes have been paid by SY Corporation on the remaining properties identified as Serial Number B-1162-0000-000, Account Number 81791 and Serial Number B-1752-0000-0000, Account Number 358652. Dale Brinkerhoff made a motion to reimburse Cedar City \$943.99 for the overpayment of taxes. Second by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.

TAX MATTER CEDAR BUILDING ASSOCIATES :

David J. Grant, CEO of Cedar Building Associates, came before the Commission to request a waiver of late payment of property tax penalty on property account numbers 37991, 38171, 448727, and 475076. He explained that due to changes in company personnel the tax payment was not made until December 2 which resulted in \$625.00 in late fees. He also stated that if the Commission did not waive the late fees it could result in consideration of moving operations from Utah to Texas.

Commissioner Adams pointed out that the late fee is imposed by State Statute and that the tradition has been not to waive the penalty because of the precedent it would set and because it would be non compliant with State law.

Dale Brinkerhoff made a motion to waive late fees for Cedar Building Associates as requested. Second by Dan Webster. Voting: Alma Adams, Nay; Dan Webster, Aye; Dale Brinkerhoff, Aye.

RESOLUTION 2011-10 ADOPTION OF 2012 BUDGET :

Gene Adams introduced and explained changes in the preliminary budget from the previous meeting. Questions were answered and it was noted that the proposed budget is balanced and in compliance with projected revenue. Dale Brinkerhoff made a motion to adopt Resolution 2011-10 and the 2012 budget as presented. Second by Dan Webster.

IRON COUNTY, UTAH

RESOLUTION 2011-10

A RESOLUTION OF THE IRON COUNTY COMMISSION ADOPTING AND APPROVING THE 2012 BUDGET.

WHEREAS, Iron County is required by Utah State Law to adopt a budget (UCA 17-36-15) on or before the last day of each fiscal period, the governing body by resolution shall adopt the budget which, subject to further amendment, shall thereafter be in effect for the next fiscal

period. A copy of the final budget, and of any subsequent amendment thereof, shall be certified by the budget officer and filed with the state auditor not later than 30 days after its adoption. A copy, similarly certified, shall be filed in the office of the budget officer for inspection by the public during business hours; and

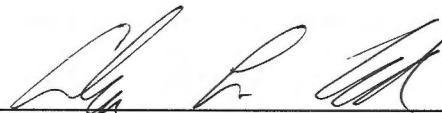
WHEREAS, a tentative budget has been adopted and has been made available for inspection at the office of the County Auditor for at least ten (10) days prior to the public hearing; and

WHEREAS, December 19, 2011 at the hour of 10:30 a.m. in the Iron County Courthouse Commission Chambers has been designated as the time and place of a public hearing where all interested persons shall have an opportunity to be heard for or against the estimates of revenue and expenditures and performance data on any item in any fund; and

WHEREAS, notice of the public hearing has been published at least seven days before the hearing in one newspaper, Daily Spectrum, a newspaper of general circulation within the County; now therefore

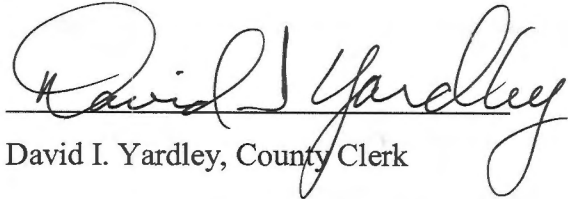
BE IT RESOLVED by the Board of Iron County Commissioners that the budget as presented and filed in the Iron County Auditor's Office is hereby adopted for calender year 2012.

BY ORDER OF the Board of Iron County Commissioners this 19th day of December 2011.



Signed: Alma L. Adams, Chairman

Attest:



David I. Yardley, County Clerk

Voting:	Aye	Nay
Alma L. Adams	<u>X</u>	___
Dale M. Brinkerhoff	<u>X</u>	___
Daniel L. Webster	<u>X</u>	___

RESOLUTION 2011-11 AMENDING 2011 BUDGET :

Gene Adams reviewed changes in the 2011 approved budget and amendments tentatively approved by the Commission at various meeting throughout the year. After reviewing the proposed amendments, Dale Brinkerhoff made a motion to adopt Resolution 2011-11 amending the 2011 budget. Second by Dan Webster.

IRON COUNTY, UTAH
RESOLUTION 2011-11

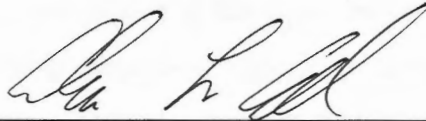
**A RESOLUTION OF THE IRON COUNTY COMMISSION AUTHORIZING
ADJUSTMENTS IN THE 2011 DEPARTMENT BUDGETS.**

WHEREAS, Iron County Departments have requested adjustments to their budgets for 2010 to cover expenses incurred 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:

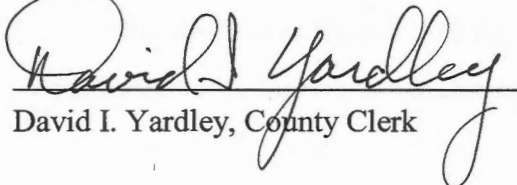
BE IT RESOLVED that the 2011 budget of Iron County is hereby amended to reflect changes in the adopted and approved 2011 budget to actual expenditures as calculated and filed in the office of the Iron County Auditor.

BY ORDER OF the Board of Iron County Commissioners this 19th day of December 2011.



Signed: Alma L. Adams, Chairman

Attest:


David I. Yardley, County Clerk



Voting:	Aye	Nay
Alma L. Adams	<u> X </u>	___
Dale M. Brinkerhoff	<u> X </u>	___
Daniel L. Webster	<u> X </u>	___

NOTIFICATION OF PROPOSED CONDITIONAL USE PERMITS :

Chad Nay, Zoning Administrator, reported to the Commission on three proposed Conditional Use Permits which will be considered by the Planning Commission at the January 5, 2012 meeting. The first is for Rocky Mountain Power Electrical Transmission Line which will transect Iron County on the Sigurd to Red Butte No. 2, 345kV Transmission Project. The proposed route will follow the utility corridor parallel to the Kern River gas and IPP electrical transmission lines in western Iron County. Chad reviewed proposed conditions which have been presented to Rocky Mountain Power and with which they are not opposed.

Chad also presented a request from Wesley Smith to construct a guest home on a twenty acre parcel described as the South ½ of Lot 1, Meadows Ranch Subdivision. The conditions are in compliance with similar CUP's issued in the past for other property owners.

The third proposed CUP is for Escalante Farms for accessory farm employee housing. The proposed housing will be for use at the Holt Dairy and will be located in Section 18, Township 36 South, Range 15 West, SLB&M. Part of Serial Number E-1096-0000-0000, Account Number 169133. The proposal is to construct two four plex units for farm employees.

The Commission thanked Mr. Nay for the presentation. No action was needed by the Commission.

RAP TRAINING _____ :

Vicki Nielsen presented RAP training for weeks forty six and forty seven. Week forty six covered ergonomics or cumulative trauma disorders (CTD) which are illnesses caused by poor ergonomics. These illnesses affect the muscles, nerves, tendons, joints, cartilage, and spinal discs. CTD result from repetitive movement or motion over a period of time (cumulative effect); it does not occur in a short period. CTD are the fastest growing illness in the workplace, accounting for over half of all illnesses in the workplace. In 2003, CTD accounted for 435,180 illnesses involving days away from work.

Week forty seven covered accident investigations. If anything positive results from an accident, it is the opportunity to determine the causes and how to eliminate them. Thorough accident investigation can point out the problem areas within an organization. When these problems are resolved, the result is a safer work environment.

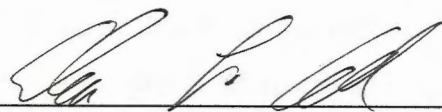
The purpose of accident investigation is to determine the causes and recommend actions to eliminate or minimize these events. As you investigate, don't put the emphasis on identifying who could be blamed, but rather fact-finding. Every incident has a cause, and those involving only a slight injury may reveal just as much about inadequate safety measures as one that results in a serious injury. Accident investigations are conducted with the intent of discovering every contributing factor, condition, and activity in order to prevent future occurrences; the objective is to identify root causes and not to place blame.

PERSONNEL MATTERS _____ :

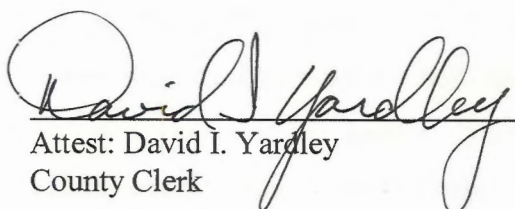
Vicki reported that at the present time there are no EMT's that have applied as Ambulance Seasonal Help for Parowan and Brian Head. No action was needed at this time.

ADJOURN _____ :

The meeting was adjourned at 12:10 p.m. on a motion by Dale Brinkerhoff. Second was by Dan Webster. Voting: Alma Adams, Aye; Dan Webster, Aye; Dale Brinkerhoff, Aye.



Signed: Alma L. Adams, Chairman


Attest: David I. Yardley
County Clerk