

IRON COUNTY COMMISSION MEETING

January 12, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 12, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

David J. Miller	Commission Chair
Alma L. Adams	Commissioner
Dale M. Brinkerhoff	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Stephen Platt	County Engineer
Cindy W. Bulloch	County Assessor
Leslie Bishop	Human Resources Director
Bruce Anderson	Landfill Supervisor

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Jon Whittaker.

APPROVAL OF MINUTES – November 17, 2014, December 8, 2014, December 12, 2014, and December 15, 2014

Minutes of the Special Iron County Commission meeting held November 17, 2014, the Iron County Commission meeting held December 8, 2014, the Special Iron County Commission

meeting held December 12, 2014, and the Iron County Commission meeting held December 15, 2014 were approved on a motion by Dale Brinkerhoff. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

REORGANIZATION OF COMMISSION ASSIGNMENTS AND APPOINTMENT OF COMMISSION CHAIR FOR 2015

Alma Adams made a motion to follow tradition and to appoint Dale Brinkerhoff as the Commission Chair for 2015. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

The Commission then reviewed their current assignments and decided not to make any adjustments.

REVIEW OF INDIGENT CAPITAL DEFENSE FUND

Michael Edwards requested that an Indigent Capital Defense Fund Application for *State of Utah v Angelo Seth Carrasco*, Case No. 141500662, be approved. The Fund provides for the expense of counsel for defendants in capital cases who are indigent and unable to afford to hire legal counsel. Alma Adams made a motion to approve the Indigent Capital Defense Fund Application. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PERSONNEL MATTERS

Leslie Bishop presented a request to approve Holly Butterfield as a new hire in the Justice Court as a Court Clerk. This hire was a backfill of a vacated position. David Miller made a motion to approve the backfill hire of Holly Butterfield. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented a request to approve a pay rate change in Corrections for Anna Teeples for obtaining an Associates Degree. Leslie also presented a request to approve of a pay rate change for Orlas Demasters for completing his probationary period of one year of employment. Alma Adams made a motion to approve the pay rate change for Anna Teeples and Orlas Demasters. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented a request to approve the transfer of Cameron Neil from Corrections to the Patrol Division as a replacement for Jim Cook, who is retiring. Dale Brinkerhoff asked whether there would be any budget impact from this transfer. Leslie Bishop affirmed that there would be no budget impact. David Miller made a motion to approve the transfer of Cameron Neil from Corrections to the Patrol Division. Second By Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented a request to approve the salary of \$67,672.80 for Nicole Rosenberg as the newly elected Iron County Treasurer. David Miller made a motion to approve the salary for Nicole Rosenberg as the newly elected Iron County Treasurer. Second By Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented a request to approve the salary of \$67,672.80 for Jon Whittaker as the newly elected Iron County Clerk. Alma Adams made a motion to approve the salary for Jon Whittaker as the newly elected Iron County Clerk. Second By David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented for approval the Public Defender Contracts. Jeff Slack and Jack Burns are continuing as Fifth District Court Public Defenders at a rate of \$77,500. James M. Park and Matt Munson handle the Juvenile Court and Justice Court Contract as well as Conflict Counsel at a rate of \$57,000. Leslie indicated that there haven't been any changes to Public Defender Contracts budget. David Miller made a motion to approve the Public Defender

Contracts as outlined. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Dale Brinkerhoff initiated a discussion regarding the Commission assignment over the recently created Court Administrator. The nature of the assignment was discussed. Dale Brinkerhoff requested that Leslie Bishop set a meeting with Lori White, the newly hired Court Administrator, Matthew Carling, Leslie Bishop and himself.

PRAIRIE DOG MATTERS

Dave Miller gave a report on prairie dog matters. He reported on the formulation of a Utah Prairie Dog state management plan that has been ongoing in concert with the Utah Attorney General and the Department of Wildlife Resources. The objectives are to provide for the rights of property owners and remove the cumbersome restrictions to use, while maintaining continuity in protecting the Utah Prairie Dog. He explained the need for maintaining the species in order to not jeopardize the progress made in preserving property owners' rights. Another objective is to assure that no fees are attached to the personal use of private property.

Evan Ludwig, a citizen, commented that there are many stories in the media regarding public projects to manage the Utah Prairie Dog, such as the recent Parowan Airport and Cedar City Cemetery projects, but that private citizens are typically overlooked. He expressed his concern that the governing agencies are more interested in maintaining their job security than in helping the private citizens. Mr. Ludwig wondered whether the private individuals' rights are not being protected in terms of the Utah Prairie Dog like the rights of municipalities have been.

David Miller explained that the management plan being formulated is intended to protect property owners' rights with sanity and balance. He expressed the need to protect the species in order to prevent a rolling back of the gains made if the Utah Prairie Dog population is not properly maintained.

Dale Brinkerhoff explained that there isn't a mitigation fee anymore for someone seeking to build a house. He explained further that a citizen who is seeking to build and has Utah Prairie Dogs on their property may come to the county and fill out a Certificate of Registration. Unlike in the past, there is no longer a mitigation fee, a positive for private citizens.

Dave Miller said that there is a bill file in the Utah legislature sponsored by Senator Evan Vickers that, if passed, will try to avoid putting the mitigation costs onto the private citizens.

BOARD APPOINTMENTS

Alma Adams presented the name of Shawn Reber to serve on the Weed Board, replacing Craig Clark who has served for many years. Alma Adams made a motion to approve the appointment of Shawn Reber to serve on the Weed Board, representing Escalante Valley, releasing Craig Clark. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION OF THE USE OF COUNTY CREDIT CARDS

Dave Miller initiated a discussion regarding the use of county credit cards by personnel. The objective was to continue improving the quality of oversight. He would like to have a discussion as to which personnel have credit cards and why, what policy is in place and what changes, if any, should be made to policy.

Leslie Bishop explained that there is no formal policy in place, only the *per diem* rates set forth, as well as the list of personnel who have been issued a credit card. She stated that one of the concerns regarding credit card usage is that when personnel are traveling, the standard procedure is for them to complete a *per diem* form, providing accountability and oversight. With credit cards, that oversight and accountability becomes more difficult to achieve. Because of the increasing number of personnel holding a county credit card, it has become more difficult to

ensure that *per diem* spending has stayed within required limits. She noted that there have been some credit card charges for lunch that have definitely not been within *per diem* limits.

In the absence of a list of personnel holding a county credit card, as well as an outdated *per diem* schedule, David Miller made a motion to table the credit card discussion until such time as the current *per diem* rates and the list of county personnel holding a county credit card could be reviewed. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

AGREEMENT FOR RIGHT OF WAY AND EASEMENT GRANT

Delynn Rodeback of Rocky Mountain Power requested to purchase a Right of Way and Easement located in Section 28, Township 35 South, Range 12 West, Salt Lake Base and Meridian, near the county landfill. He requested that the Commission consider selling an easement document or a right-of-way document, instead of an encroachment. There was discussion comparing the virtues of an easement versus an encroachment. The primary concern of the Commission was to avoid financial responsibility for termination or relocation costs that may be incurred in the future. Delynn Rodeback expressed Rocky Mountain Power's willingness to include language in an easement agreement that included provisions limiting the County's financial responsibility in the event of termination or relocation of the easement.

Dale Brinkerhoff asked what the voltage of the proposed power line would be. Brian Stevenson of Sun Edison stated that the line was of distribution voltage, and would not require a substation to access it. Brian Stevenson further explained that the proposed power line would be an "Express Line" to service the planned, adjacent solar power facility.

Bruce Anderson, the Iron County Landfill Director, expressed that he felt it would be much simpler to locate the line on the edge of the Frank Nichols property instead of over County property. He felt that it would be a more direct path along Nichols' property versus the County's property.

Brian Stevenson responded, explaining that the proposed power line would be owned by Rocky Mountain Power, and that it would serve as the "Express Line," e.g. the line that would link all three of the Sun Edison facilities together. He then said it was his understanding that the proposed power line would replace the existing line on County property.

Frank Nichols stated the opinion that the proposed power line would benefit not only Iron County and the Sun Edison facilities, but that it would also benefit other neighboring property owners by bringing a three-phase distribution line closer. Bruce Anderson questioned whether new lines were necessary, and expressed doubt as to the County's need for three-phase power.

Dale Brinkerhoff asked whether there was an objection to the suggestion by Bruce Anderson that the proposed power line be situated on the edge of the Frank Nichols property. Brian Stevenson said that that would be a viable option, but that the engineering was nearly complete and that they would have to work with Rocky Mountain Power to re-engineer the proposed power line.

David Miller asked Bruce Anderson whether he could anticipate any future need for the three-phase power that would be available. Bruce Anderson responded that he couldn't think of any future need. David then asked Bruce whether he felt there were any drawbacks to Iron County if the proposed power line were approved. Bruce said he was mainly worried about any costs to Iron County, and the length of downtime incurred by the project. Michael Edwards asked whether Bruce had any concerns about accessing the proposed power line through the landfill gate.

After assurances that there would be no cost to Iron County, that the transfer time would be minimal, and that the landfill gate would remain secure, David Miller stated that it would be an advantage to the County to have the three-phase power more accessible. David Miller made a motion to work out language to approve an agreement to bring power along the proposed

corridor, with language that protects Iron County in the event of any termination, relocation, or addition, and that those costs would be borne by Rocky Mountain Power. Furthermore, that Iron County reserves the right to request the relocation of power infrastructure and that Rocky Mountain Power be required to cover those costs as well. Also, that the purchase price be negotiated. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PUBLIC COMMENTS

Evan Ludwig, a resident of Cedar City commented on the pay increase budgeted for the County Commissioners. He feels that the raise may be justified because of the additional workload that now exists. However, he would like to see the raise be implemented after the County Commissioners stand for reelection.

Dale Brinkerhoff clarified that before the budgeted raises take place, a public hearing would be held. Evan Ludwig responded that perhaps the Commission should become full time. Dale stated that the Commission was already there. He continued, saying that the other elected officials have salaries of \$67,672 per year, and that the Commissioners earned about \$41,000 per year, a difference of \$26,000.

Dale recounted a conversation with someone from Cedar City who stated that a person would either have to be rich or retired to be able to run for County Commission.

Evan Ludwig then brought up the issue of the Ambulance service. He felt, though contentious, that privatization would be the best option. He mentioned rumors concerning the privatization of the St. George ambulance service by Gold Cross that imply that people would die because of poor service. It was his opinion that no one would die due to a privatization of Iron County's Ambulance service. He continued, stating that if privatization were to occur, that the private company would pay taxes and improve the quality of service. He felt that the plea being raised that the Sheriff's department be given one more year to sort things out was analogous to Senator Orrin Hatch continually asking for one more term.

Dale Brinkerhoff then gave a report concerning the Ambulance service. Dale explained that the mayors of Iron County signed a petition to keep the Ambulance service under the purview of the Sheriff's department for one more year. He then described the options outlined to the mayors of Iron County at the Iron County Coordinating Council on January 7th, 2015. The first option would be for Iron County to keep the Ambulance service. The service would then be under a seven person board which would report to the Iron County Commission. This option would include a provision to pay Iron County \$150,000 to go toward the outstanding debt service. The cities would have to agree to make up the shortfall, or operating loss, in order to make Iron County whole. He explained that the Commission committed to provide the details of the first option to the mayors of Iron County by January 12th, 2015, and that a letter would be sent today (January 12th, 2015).

The second option would be to form a municipal Ambulance service, with the cities creating their own service areas. This would be an Ambulance service ran by the several municipalities.

The third option presented to the mayors of Iron County, was to privatize.

Dale Brinkerhoff clarified that the intent of the Iron County Commission was to make the county whole. He committed that whatever path is chosen in the end, Iron County would be made whole.

Evan Ludwig concluded by saying he was cynical that the mayors of Iron County would accept the first option as explained. He then said that he felt the Commissioners were honorable men and that he supports them.

UPDATE AND SOLUTION TO THE TRANSPORTING OF DEER

Destry Batt addressed the Commission concerning the Transporting of deer from the foothills East of I-15 between Enoch and Summit. He began by relating an interview he and his father, Gordon Batt had had with Jason Nichols of the Division of Wildlife Resources. The first question they asked was what the purpose of transporting the deer might be. He relayed that Jason Nichols' answer was that the deer herd was killing the vegetation on the Parowan Front, and that it was a study to find out the success rate of transporting deer to revitalize the Parowan Front. Jason Nichols was then asked where the deer were being taken, and the answer was to Holden to reestablish the herd there. The next question they asked of Jason Nichols was concerning the cost of transporting the deer. Destry then related that Jason Nichols answered that it costs \$300 per head to transfer the deer. He commented that the process involved helicopters, and that he was skeptical that the cost could be so low. He said they then asked Jason Nichols what the casualty percentage of the transported deer was. Destry then said Jason Nichols answered that 40 of the 102 deer transferred in 2013 survived, and that they considered that to be a success and they learned a great deal.

Destry Batt then asked the rhetorical question, "How many deer need to be killed before you decide this is really not a good thing?" Destry's father, Gordon Batt interjected at this point asking another question, "What have they learned?" Destry then mentioned a petition they have distributed with 338 signatures of citizens saying they want the transport of deer stopped.

Destry Batt continued relating their interview with Jason Nichols. The next question they asked was how many hunting permits are sold on the Panguitch Lake Unit, annually. The answer given was approximately 3000 hunting permits with 125 doe permits and 2875 buck permits for all of the hunts. The Batts then asked Jason Nichols what was the time frame of the hunts. The answer was from the 15th of August to 10th of November. Destry commented that that was a long time frame to be harassed and hunted, causing the deer to lose fat reserves. Destry related that Jason Nichols couldn't answer what the net financial impact to Iron County was from the hunts. The Batts next asked what the harvest ratio of the permits issued was. Jason Nichols answered that 900 out of 2875 buck permits and 120 out of 125 doe permits were successful. The Batts expressed skepticism about that number because they hadn't seen any deer check stations in the area.

Destry Batt continued relating the interview he and his father, Gordon had with Jason Nichols of the Division of Wildlife Resources. The next question they asked was who was responsible for the idea of transporting the deer. Jason Nichols responded that there are five sportsmen's organizations along with BYU which are responsible, and that the taxpayer is not paying for transporting the deer. Destry then expressed doubt that no taxpayer dollars were spent on this project.

Destry Batt then pointed out that the Commissioners had committed to having a letter drafted on this matter, and that Mike Worthen was to write it. David Miller expressed relief because most of the parties involved regarding this transport of deer were in attendance, and that would have been the aim of a letter by Mike Worthen.

Destry Batt concluded his presentation by listing the objectives he and his father, Gordon had which were to: 1) stop the deer transport from the Parowan Front area; 2) petition a resolution from the Iron County Commission to halt any further transport; 3) seek an injunction from the courts to that same end; 4) involve Senator Evan Vickers to stop the transport; 5) secure the solid support from the Iron County Commission in this matter; and 6) petition the construction of deer crossovers along I-15 in the area between Summit and Enoch.

Several representatives from the Division of Wildlife Resources, Iron County and BYU were in attendance. Teresa Griffin, Wildlife Manager for the Utah Division of Wildlife Resources acted as voice in responding to the Batts. Teresa began by explaining that the Division of Wildlife Resources (DWR) has had the objective to reduce the numbers of deer in the

Panguitch Lake Unit. The DWR feels that the deer herd in the Panguitch Lake Unit is too populous. The DWR has observed that the deer have been causing habitat damage due to the high numbers of deer, and because they are geographically limited due to I-15. Reacting to this, the DWR has continued to issue 150 doe permits per year to reduce the pressure on the habitat. Sportsmen for Fish and Wildlife and BYU collaborated with the DWR to study what could be done with this herd. David Miller pointed out that on data from the handout given to the Commissioners by Teresa Griffin, that the objective population for the Panguitch Lake Unit is 8,500 deer, and that the actual population is estimated to be 11,700 deer. Teresa stated that 100 deer were transported in 2013, 100 in 2014, and 50 are planned to be moved in 2015, and that the transporting costs were not paid for with taxpayer dollars.

After some discussion about having the parties involved meeting in another setting to discuss details, Dr. Randy Larsen from BYU took the floor next to explain some of the details of the translocation study. Dr. Larsen explained that BYU's primary role in this study has been follow up monitoring of the transplanted deer. He reported that the survival rate of the deer transplanted to Holden in year one of the study (2013) was about 50%. In year two of the study, 90% of the transplanted deer had survived. As a control group, the BYU team tagged deer that were already in Holden. Of those in that control group, 80% survived year one, and 85% survived in year two of the study. He noted that the 50% survival rate was lower than hoped for.

Dr. Larsen went on to point out some of the positive results his team found in the study. They found that younger deer had a higher survival rate than older deer. The BYU team also found the deer to have high "sight fidelity," which Dr. Larsen described as the deer returning to the same spot where they were released after being transported. He explained that the high sight fidelity has potential to greatly enhance man's ability to reintroduce and replenish deer populations with greater control and predictability. Another positive found by the BYU team was that the surviving transported deer reproduced at the same rate as the resident deer. Dr. Larsen noted that an intensive study with radio marking and detailed analysis after the transplanting of deer was unprecedented before this study.

Alma Adams questioned Dr. Randy Larsen as to why the deer were moved in the winter, when the does were pregnant. Dr. Larsen responded that the transplanted does gave birth at the same rate as the resident, Holden deer.

Evan Ludwig, a citizen in attendance, asked what the primary cause of mortality was. Dr. Larsen explained that 85% of the deer were predated with 15% dying from various other causes. He explained that the transplanted deer tend to wander, leaving them more vulnerable to predators. He stated that less than 5% of the deer died as a direct result of the translocation.

The Commissioners left Teresa Griffin with the task of organizing a meeting of all the interested parties to come to an understanding.

DISCUSSION OF NIGHT HUNTING ORDINANCE

Lane Sutherland had requested a review of the long standing prohibition in Iron County regarding night hunting. Dale Brinkerhoff asked David Miller to read the current night hunting ordinance in force in Garfield County. The Commission considered using the Garfield County Night Hunting Ordinance as a template. Some of the more notable aspects of the Garfield County Ordinance were: a permit is required, the Sheriff must be notified when and where the night hunting is to occur, hunters must have written permission to hunt on private property, hunters are liable for any property damage they cause, and night hunting privileges will be revoked for a period of 5 years if the ordinance is violated.

Mike Worthen asked how well the Garfield County Ordinance lined up with the Division of Wildlife's ordinance prohibiting spotlighting. Mike Worthen noted that an individual may not spotlight while in possession of a weapon. Michael Edwards noted that the Federal Ordinance does not allow hunting from a vehicle, nor occupying or operating a vehicle while using an

artificial light. David Miller stated that the Garfield County Ordinance was in line with Federal law. A discussion ensued about the viability of using a hand held spotlight while hunting.

Lane Sutherland explained that the State of Utah allows night hunting, but the counties must codify the allowance of night hunting. Lane noted that the practice of night hunting occurs anyway, but by passing an ordinance it allows for both enforcement and for ethical people to participate in night hunting. David Miller noted that there appears to be individuals that would like an ordinance in place to provide a legal avenue to hunt at night. David recalled the the previous discussion concluded that night hunting in Iron County was prohibited because of abuses. He continued, explaining that the Utah State code and the Garfield County Ordinance were sufficient to be able to prevent and punish abuse.

Alma Adams relayed a text message he received from Bob Holt, a large scale farmer in Escalante valley, saying that he would like rabbit hunting denied on his property. This spurred a discussion about property owner rights, which species should be included, and how a potential ordinance would deal with vehicle and spotlight use. There was general assent as to the quality of the ordinance in terms of controlling abuses, yet allow for night hunting.

Lane Sutherland reiterated that he would just like a legal avenue for night hunting, and not necessarily on public property. David Miller asked whether any major changes from the Garfield County ordinance would be necessary if Iron County were to adopt such an ordinance. No one present voiced any major concerns. Dale Brinkerhoff stated that he had spoken with Sheriff Gower about a potential night hunting ordinance, and that the Sheriff agrees that knowing who is hunting at night, and where they are hunting would be a benefit.

Dale Brinkerhoff asked those present if there would be any problem with the reworking and rewording of the Garfield County ordinance in preparation for the January 26th, 2015 Iron County Commission meeting to hold a public hearing to pass an ordinance allowing night hunting in Iron County with the restrictions in place to safeguard public and private interest. Alma Adams expressed concern that the ordinance be explained clearly, so that hunters understand the rules and restrictions that would be in place.

REQUEST TRANSFER OF TITLE FROM IRON COUNTY TO COAL CREEK IRRIGATION

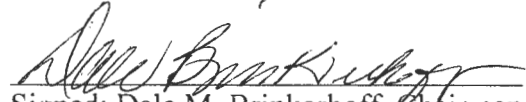
Joe Melling made a request to transfer title on a parcel of land near the overpass where Coal Creek Road passes over I-15 in Cedar City. A.P.N. B-1321, Section 3, Township 36 South, Range 11 West, SLB&M. He explained that when I-15 was established, Kitty Hawk road was cut off, and that part of Iron County Property was orphaned by the overpass realignment. He explained further that the North half of what used to be the roadway was already transferred to the Homer Jones family, and that he was requesting that the South half be transferred to Coal Creek Irrigation to be contiguous with their existing parcel.

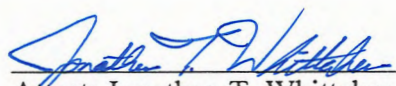
Dale Brinkerhoff said that if the road was vacated, title should have transferred to the adjacent property owners, and that this parcel must have been missed. He questioned why the road vacation transferred to the owners on the North side of the road (the Jones'), but not the South (Coal Creek Irrigation). Michael Edwards pointed out that if the road was vacated, then a Vacating Ordinance would have been recorded.

Alma Adams made a motion to defer transfer of title as explained for research, to find out whether a public hearing would need to be held, whether the road was vacated and no action would be necessary by the Iron County Commission, or whether the Iron County Commission could simply transfer the property. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ADJOURN

David Miller made a motion to adjourn. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
January 26, 2015**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 26, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

H. Eugene Adams	County Auditor
Cindy W. Bulloch	County Assessor
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director
Bruce Anderson	Landfill Supervisor

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Betsy Cummings.

INVOCATION

An invocation was offered by Gene Adams.

DEPARTMENTAL REPORTS

Gene Adams, County Auditor, reported that the Auditor’s Office was \$3,700 under budget for 2014. Gene also noted that he is finishing up the end of year wage adjustments and the depreciation on the Enterprise funds. He noted that the 1099 and W-2 forms were nearly ready to be distributed. Gene then reported that the Auditor’s Office

was beginning to prepare for the May tax sale, and that there were fewer properties in 2015 than in the past going to tax sale.

David Miller reiterated a request that was made during the 2014 budget hearings, that any late fees Iron County pays be tracked separately.

Cindy Bulloch, County Assessor, reported that the Assessor's Office is preparing for assessment role. The state appeals are coming up on March 18th, and there are only about six state appeals this year, which was a pleasant surprise, given that a number of changes to commercial values were made in Cedar City last year. Cindy felt that the relatively small number of appeals indicated quality data, which led to more accurate valuations.

Cindy continued, noting that the Greenbelt valuations from the state all went down. Grazing land values were reduced from \$1 to \$5 dollars per acre, depending on classification. Irrigated land values were reduced from \$20 to \$30 per acre. Cindy indicated that these valuation changes reflected a nearly \$2.5 million drop in property in Iron County. She explained that the production values of the land are down because of climatic conditions. Cindy clarified that the \$2.5 million drop in values was somewhat artificial because the Greenbelt valuations are tied to the predicted production values of the land. She explained that the drop was in taxable value, not in taxes.

Cindy asked about the Iron County logo on the newest version of the Iron County website that had recently rolled out. She wondered if the logo on the website was the official logo for Iron County. David Miller responded that it was simply the working logo the IT department used in the development of the site, and that Maria Twitchell was tasked with requisitioning several sample logos to be presented to the Iron County Commission.

Additionally, Cindy Bulloch asked whether elected official meetings would continue to be held. Dale Brinkerhoff replied that the tradition has been to hold the meetings semi-annually, and that another meeting would be held shortly.

Nicole Rosenberg, County Treasurer presented a summary of monies distributed to Iron County. Nicole then presented a product sales report. She explained that her reports represented an end of year summation. Nicole then gave a running total of outstanding taxes. She noted that the outstanding taxes have come down gradually. Nicole reported that the Treasurer's Office is in the process of printing tax sale notices to delinquent property owners. She noted that the trend has been downward, with 756 notices sent in 2013, 534 notices sent in 2014, and only 371 tax sale notices being sent in 2015. The 371 properties up for tax sale in 2015 represent \$1.59 million in taxes due. Nicole noted that 2013 was the highest number of delinquent property owners in recent memory.

Nicole Rosenberg described a situation involving Kolob Canyon Air. The flight equipment owned by Kolob Canyon Air is scheduled to go to tax sale this year, and Kolob Canyon Air has filed an appeal with the Utah State Tax Commission. The Utah State Tax Commission is unable to prove that Kolob Canyon Air is housing their flight equipment in Cedar City. For that reason, the Utah State Tax Commission would probably excuse the roughly \$100,000 in taxes on the roughly \$1.5 million in flight equipment.

Debbie Johnson, County Recorder reported that recordings were up for the fourth quarter of 2014, while Trustee's Sales were down for the same period, a positive indicator. She then explained that the Recorder's Office found a better financial report. Debbie explained that the previous report was counting checks doubly, skewing the data. The new report, "Tender Type," more accurately reflected the revenues of the Recorder Office.

In conclusion, Debbie Johnson reported that the annual plat run, went very well this year. Debbie noted that because everyone pitched in, and because the new scanner is very fast, the plat run went quickly and was a success.

Alma Adams, County Commissioner reported that he will be interviewing for a new Director of Rural Development to replace Val Hale who is retiring. Alma indicated that he wanted to be able to give input as to who would be candidates, but that an application process was used instead. He affirmed that he would push for someone rurally oriented.

Alma Adams noted that the Scatec solar project has broken ground. Alma indicated that the project will be photovoltaic, which means that it will be unobtrusive, with rows of black panels about 6 feet off of the ground. Scatec has the objective to hire 85% local contractors, with Swinerton and Gilbert already engaged. Alma explained that

there are about 400 acres in the project, with Scatec owning, not leasing the land. This project will be the largest solar project in Iron County thus far in terms of cash outlay. However, the cost has dropped dramatically, due to the cost of solar panels dropping. Alma reported that Scatec estimated that the original cost would be \$500 million, but it is now roughly \$250 million. David Miller noted that this will be an 80 megawatt solar project. Alma Adams noted additionally, that a great advantage of the location is that it is adjacent to an existing substation.

David Miller, County Commissioner, reported that he and Dale Brinkerhoff attended a Board of Directors meeting with the Utah Association of Counties (UAC), and that various items may be affecting Iron County. Paying for road improvement and maintenance was the first topic.

The legislature is attempting to address the budget shortfall in roads. Two principal strategies have been discussed. The first is that the State of Utah collect the additional tax and distribute it among the counties. The second is for the counties to collect the additional tax themselves as needed. The UAC Board of Directors wanted clarification regarding the additional taxes. In particular the UAC Board wanted specificity regarding the need of additional transportation dollars. Also, they do not want a tax imposed, yet have no control over how it is spent.

Bruce Anderson, Landfill Director, asked how such a tax would be administered. David Miller responded that the tax would be imposed as a combination of increased sales tax and increased gasoline tax. David noted that there had been discussion as to whether the gasoline tax would be calculated per gallon or as a percentage of sales. David Miller affirmed that the UAC Board of Directors wants clarification on these questions before they support such a measure.

David Miller then reported on a "Pathway to a Balanced Public Lands Policy," as was discussed in the UAC meetings. The group analyzed the potential effect of a transfer of public lands to the state of Utah. David reported that the various impacts of such a transfer were analyzed and that, in spite of some of the advertisements circulating, a transfer of public lands would result in a \$250 million windfall for Utah, not counting the administrative efficiencies that would result.

In conclusion, David Miller reported that Scott Jolly resigned as the CEO of the Cedar City Chamber of Commerce to work with Upper Limits Aviation.

Dale Brinkerhoff, County Commissioner, reported that he attended the UAC meetings with David Miller as the Five County Representative to UAC.

Dale Brinkerhoff then reported on the organizing efforts for the "Utah Salute to Law and Order," which will be Thursday, January 29th at the Utah State Capitol. Dale noted that the law enforcement agencies in Utah were invited to come and be honored for their sacrifices on our behalf. Many dignitaries were to be in attendance, with flowers, speakers, music and a military presence. Dale Brinkerhoff concluded by stating that the United States is a nation constitutionally driven on the premise and principle of law and order.

PUBLIC COMMENTS

No public comments were made.

DWR PAYMENT IN LIEU OF TAXES (PILT) PAYMENT

Kevin Bunnell, Regional Supervisor for the Division of Wildlife Resources presented a payment in lieu of taxes for the State Institutional Trust Lands, or SITLA in the amount of 2,505. Kevin indicated that the DWR is working closely with the Commissioners on drafting a plan for the Utah Prairie Dog. David Miller commended everyone who has contributed the formulation of said plan. David predicted that state management will prove more effective at protecting both private property rights and the best interest of the species.

David Miller thanked Kevin Bunnell for supporting the discussion during the Iron County Commission Meeting on January 12th, regarding the translocation of deer from the Parowan Front area. There were some pointed concerns raised about the translocation project raised by Gordon and Destry Batt. Kevin Bunnell indicated that there was a meeting of the local chapter of Sportsmen for Fish and Wildlife, February 27th, at 3:00 p.m. for any interested sportsmen in the area. Kevin indicated that Gordon and Destry Batt and others were invited to attend. Kevin explained that the primary objective was to be able to have a longer discussion than was able to take place in the Iron County Commission meeting.

DISCUSSION CONCERNING THE IRON COUNTY GENERAL PLAN

David Miller indicated that he requested the General Plan discussion be placed on the Commission agenda after discussions with federal agencies and other counties. David then discussed the importance of the words, “coordinate,” and “cooperate.” He clarified, saying that coordination is a responsibility of federal agencies to work with the local governing bodies, based on what their general plans are, and what they expect to have happen in their respective communities.

David Miller continued, explaining that Iron County has robust trail and transportation planning, and that our zoning ordinances are still applicable even if the land happens to be federal land. David continued, saying that those who manage federal lands need to be cognizant and respectful of county zoning, and of the general plan. He reiterated that the federal land managers need to work with our general plan and the needs of our community. Therefore, we need to be sure our general plan reflects those attributes we expect federal agencies to work with us on. David then expressed that as counties build relationships with federal agencies, that instead of being dictated to, he would like to see that role reversed. He concluded his introduction to the subject of the general plan by noting the presence of Reed Erickson, Planner and Special Services Coordinator for Iron County, Mike Worthen, Natural Resource Specialist, and Chad Nay, Zoning Administrator; all of whom would contribute to the discussion about roads, trails and zoning in terms of natural resources.

Mike Worthen began by giving a report on the general plan. Mike explained that the current general plan was drafted in 1995, and has many amendments. He then discussed Iron County Resolution 2011-3, which directed that the general plan include a natural resource county plan, as well as a resource plan for wilderness. Mike explained that the Iron County Resource Management Plan was drafted in 2009. He clarified that the Iron County Resource Management Plan accomplishes what David Miller discussed. It directs the federal agencies to coordination. It outlines the responsibilities of the federal agencies and was developed with them. Mike explained that the main responsibility of the federal agencies in planning is to make sure they consider the local general plans, and that they incorporate them into their planning process. He described the Iron County Resource Management Plan as an umbrella to cover how Iron County and other agencies will work together.

Alma Adams interjected that the primary reason the Commissioners had for bringing the general plan to the forefront, was that other counties had advised them to include specific numbers of Animal Unit Months, or AUM's, volumes of timber harvest and the like in the general plan. The reason for such specificity is to combat the declining AUM's and volumes of timber harvest allocated by the federal agencies.

Mike Worthen replied that the Iron County Resource Management Plan allows for specificity in numbers in individual resources. Mike clarified that Iron County could draft a plan and designate a specific number of AUM's or a certain volume of timber harvest. Those numbers could then be included in an amended Iron County Resource Management Plan. He explained further that this type of action has already been taken for the greater sage grouse and for wilderness designations. He noted that there is also a deer winter range plan which specifies how Iron County desires the deer on the winter ranges in Iron County managed.

Mike Worthen reported that he is working on the transportation plan, specifically the Off-Highway Vehicle, or OHV plan. He explained that the vision for the OHV plan is to include any recreation, including hiking, biking, motorcycles, etc. Mike reiterated that the federal agencies are and have been involved in drafting such plans. He concluded that he felt like Iron County was further ahead than many counties because they do not have their county resource plans developed in conjunction with the federal agencies.

David Miller explained that during the recent debriefing of the analysis of the transfer of public lands, Rex Sako from Carbon County reported that by adding specificity to their general plan, Carbon County has been able to mitigate the declining natural resource allotments, and they are able to access their natural resources. David noted that there has been an apparent effort to amend the Forest Service Plans with a bias against grazing. He reported that the Commissioners have been watching this issue closely, that they have been party to Freedom of Information Act, or FOIA, requests that have resulted in voluminous information.

Mike Worthen noted that the Iron County Resource Management Plan is very generalized in regard to grazing. Mike explained that the Iron County Resource

Management Plan discusses grazing, but simply states that it is Iron County's desire to keep AUM's at the same level and not be decreased. He mentioned that including specific numbers in regards to grazing can certainly be done. The plan can be bolstered by adding specific numbers by allotment in accordance with Iron County's desires.

David Miller commended Mike Worthen for the tremendous work he does. David expressed the need to be prepared for the issues coming, such as wolves, greater sage grouse and wild horses. He expressed that Iron County does not want to be painted by a broad brush, but rather that Iron County needs to assert the balance it desires.

Mike Worthen reported that Iron County, in fact, has submitted its plan to the Bureau of Land Management, or BLM and to the Forest Service in order to ensure that it gets incorporated into the Environmental Impact Statement, or EIS. Mike then reiterated that the federal agencies are then responsible to explain how they have incorporated the local plans into their planning process. If they do not incorporate the local plans, they are responsible to explain why.

David Miller expressed the need to be forward looking with the general plan, in order to take into consideration any potential loss of revenues because of greenbelt rates, or loss of Payment in Lieu of Taxes (PILT) monies, or even any transfer of federal public lands to local control that may occur in the future. David further explained that, depending on how we craft our general plan, we can help protect against these potential future events.

Dale Brinkerhoff asked whether we could incorporate into our general plan flexibility in natural resource allocations due to wetter or drier weather. For example, if the AUM's are reduced due to drought, how do we raise them back up when the moisture is restored and the grazing conditions improve?

Mike Worthen expressed doubt that Iron County could affect the AUM allotments, but affirmed that by including specificity in the general plan and the Iron County Resource Management Plan, Iron County could assert its position that the AUM allotments should be able to be adjusted up as well as down.

Chad Nay, the Iron County Building Administrator, suggested that an ordinance might be adopted wherein not only the AUM allotments were specified, but also failures to manage wildlife are noted in terms of grazing capacity. Alma Adams interjected at this point noting that his allotment was scaled back, and he suspects it was because of failure to manage forest growth and forest encroachment on his allotment.

Reed Erickson mentioned that in 2005, Iron County amended the general plan that provided a mechanism to make amendments more easily. Specifically, there were provisions for the natural resource plans to be updated individually instead of tackling the entire plan all at once. Reed explained that individual parts of the plan could be amended easily, making the ideas discussed concerning the general plan easy to implement.

NOTIFICATION OF A CONDITIONAL USE PERMIT FOR SURFACE MINING

Chad Nay notified the Commissioners regarding a sand and gravel mining pit near the Little Salt Lake that has been requested by Keith Gilbert. Chad explained that the pit would constitute 160 acres of a 1209 acre farm. He noted that the farmers and ranchers there want to utilize the pit as well. Chad noted that the issue was scheduled to go before the Iron County Planning Commission on the February 4th meeting.

AGREEMENT FOR RIGHT OF WAY AND EASEMENT GRANT

Steve Platt, Iron County Engineer updated the Commissioners as to the progress made since the last meeting regarding the easement Rocky Mountain Power (RMP) desired to purchase on the Landfill property located in Section 28, Township 35 South, Range 12 West, Salt Lake Base and Meridian. Steve explained that RMP edited the verbiage of the easement to reflect the Commissioners' desire that any future relocation costs would be borne by RMP. Also, that the legal description of the easement had been reengineered to satisfy Bruce Anderson, the Iron County Landfill Supervisor's requirements. He mentioned that there was a document ready to be signed if so approved.

Steve Platt noted that RMP offered to pay half the fair market value of the land for the easement, which amounted to paying \$2,600 for roughly 1 acre of easement.

David Miller made a motion to approve the right of way easement as presented with the exhibit attached, and the signed document to be held by the County Clerk until such time as the \$2,600 payment is received. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PERSONNEL MATTERS

Betsy Cummings, Human Resources Assistant, requested the approval of two new hires in Corrections. The first, Nathan Bastien, replaced Cameron Neil who transferred to the Sheriff's Office. The second was Joshua Morris who replaced Randall McConnell who also transferred to the Sheriff's Office. Betsy explained that these were both backfill replacements of vacated positions. Alma Adams made a motion to approve the backfill of a vacant position by hiring Nathan Bastien, replacing Cameron Neil. Also, to approve the backfill hiring of Joshua Morris, replacing Randall McConnell, and that the West County Sheriff's position would not be filled. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Betsy Cummings requested the approval of the transfer of Randall McConnell from Corrections to the Sheriff's Office, to replace Clint Kelly, who resigned. Betsy also requested that Matthew Fox receive a 3 percent pay increase for completing his 6 month probationary and PTO period. Alma Adams made a motion to approve the transfer of Randall McConnell from Corrections to the Sheriff's Office, as well as the end of probation pay increase for Matthew Fox under the Deputy Retention Policy for completing his 6 month probationary period. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Betsy Cummings presented the names of Melanie Hall as the new Chief Deputy Treasurer, and Carri Jeffries as the new Chief Deputy Recorder. Betsy explained that Melanie and Carri will be Career Service Exempt as well as Fair Labor Standards Act (FLSA) exempt. Betsy explained further that these positions would start at a minimum of grade 18, and after a 6 month review period they may be advanced. She relayed that Leslie Bishop, Human Resources Director had sent an e-mail suggesting that all Chief Deputies be grade 18, except the Chief Deputy Assessor and the Chief Deputy Attorney, whose required qualifications cause them to have to be in a higher pay grade.

Debbie Johnson asked why, if the Chief Deputy positions were "at will" positions, a 6 month review or probationary period would be necessary. If the elected official has the ability to dismiss a Chief Deputy at any time, she questioned the need of a probationary period. Debbie asked further, what the process would be required to adjust the pay for the Chief Deputies at the end of the probationary period.

Dale Brinkerhoff responded that the process would be to ask the Human Resources department to bring it forward during a Commission Meeting.

David Miller moved to approve Melanie Hall as the Chief Deputy Treasurer and Carri Jeffries as the Chief Deputy Recorder, with the pay increase to the minimum of Grade 18, with a 6 month review period, after which they would be eligible for a pay increase. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

RATIFICATION OF LESLIE BISHOP AS THE COUNTY RISK MANAGEMENT COORDINATOR

Betsy Cummings presented, for ratification of a previously designated appointment, the name of Leslie Bishop as the Iron County Risk Management Coordinator. Leslie had been unofficially appointed as of January 15th, 2015. David Miller made a motion to approve the ratification of the appointment of Leslie Bishop as the Iron County Risk Management Coordinator effective January 15th, 2015. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION CONCERNING THE BOOKMOBILE

Dale Brinkerhoff explained that an excess balance of funds had accumulated in the Iron County Library fund, and that the purpose of the discussion was to determine how to best move forward with regard to all of entities involved. Dale explained that it was necessary to understand how the fund had acquired the excess funds, and what the optimum and necessary disposition of the excess monies should be.

Gene Adams explained that after reviewing the Auditor's records back to 2006, he found that the state Bookmobile was charging Iron County \$142,000 per year. Gene further explained that Iron County has been paying Cedar City \$82,000 per year, and Parowan \$29,000 per year for their respective library services. Enoch has been paying \$41,000 per year to Iron County. Gene noted that the fund balance was \$138,000 in 2006.

Gene Adams then gave figures for 2011 regarding the same accounts. He explained that the Bookmobile charge had decreased to \$132,000. Alma Adams explained that the decrease had been negotiated. Gene Adams continued, noting that he

continued to pay Cedar City \$82,000 per year, and Parowan \$29,000 per year, with Enoch continuing to pay \$41,000 per year. Gene reported that by 2011, the fund balance had risen to \$385,000.

Gene Adams reported that by the end of 2014, the fund balance had risen to \$464,000. Gene recollected that there may have been a large grant in 2014, as well as an increase in tax revenues which contributed to the swelling of the account. Steve Decker, Cedar City Library Director, explained that the grant was from Microsoft as a pass through fund via the State of Utah, and was for computers. Gene Adams then noted that the Bookmobile fee had dropped to \$114,000 that Iron County paid.

Dale Brinkerhoff asked whether, over time, Iron County disbursed the proper amount of monies to the entities based on their assessed value. He noted that Iron County is collecting the tax for the county library fund on behalf of cities as well as unincorporated areas. Dale then asked whether the collection of taxes matched the reimbursement of funds.

Gene Adams answered that no proportioning was calculated into the disbursement of funds. Rather, Gene continued with the status quo disbursements as he had described them, matching what was done before his tenure. Dale Brinkerhoff asserted that as the taxed amount varies each year, the disbursements by Iron County to Cedar City and Parowan should be proportional to the rise and fall of the taxed amount.

David Miller posed the question that if Iron County is collecting taxes toward an Iron County Library System, should there be a focus on funding the construction of a library building with any excess funds that aren't distributed? Also, is it proper that Enoch City continue to pay Iron County each year?

Rob Dotson, Enoch City Manager responded, saying that in about 2006, Washington County cancelled their state Bookmobile contract and moved to a county library system. At that time, Washington County approached Enoch City, seeking a repository for the Bookmobile books. Originally, there were some monies transferred to help cover the cost of the Bookmobile. Rob continued saying that Jeff Lewis, the Iron County Library director at the time, approached Enoch City in 2006, requesting \$14,000 to go toward a shortfall in Bookmobile funding. Rob noted that in the time period of 2006 to 2007, Enoch City built a facility to house the Bookmobile books as requested. Rob Dotson also reported that the amount requested of Enoch City grew until it reached the current \$41,000 per year. Rob noted that the Enoch City Council decided to participate in this manner, because of the benefit to Enoch City of housing the Bookmobile books, and therefore having a library service for Enoch's citizens. Further, Enoch City decided that due to the benefit of having a library, that they would not charge the Bookmobile rental fees for the space. Rob noted that there seems to be an inequity in the funding among libraries in Iron County, and that multiple people having charge of the various budgets and interactions have led to a "quagmire of people."

Dale Brinkerhoff questioned whether the discussion needed to be separated into three parts: Enoch City's financial participation in the county library system; the assessment of the Iron County library tax; and the distribution of that tax supporting the Iron County Library System.

David Miller noted that due to the decision of Enoch City to no longer pay the annual \$41,000, the county library, or Bookmobile, whose repository is housed in Enoch, will now be sustained solely through the Iron County Library tax. Rob Dotson noted that Enoch would not be participating financially, but they would continue to provide the building at no cost to the county library, or Bookmobile.

After some discussion regarding assessment and disbursement, Alma Adams clarified that the Iron County Library tax is a unique and separate line item listed on all property tax bills. David Miller noted that while all property owners pay the Iron County Library tax, the citizens benefit through the county library system in the form of the Bookmobile. Alma Adams noted that the assumption had been made that Paragonah and Brian Head benefit by accessing the Parowan library. Also, that Kanarraville benefits by accessing the Cedar City library. Dale Brinkerhoff asserted that such participation should be by interlocal agreement, and that Iron County is merely the pass through steward as far as helping to fund the Cedar City and Parowan libraries is concerned.

Michael Edwards questioned whether, as steward of the Iron County Library System, Iron County should be collecting a county library tax, then paying cities out of those taxes in support of their respective libraries. Michael suggested that Iron County stop collecting a library tax for municipalities that do not have a library.

David Miller noted that moving forward, Iron County will no longer receive the annual \$41,000 from Enoch City. Gene Adams responded, saying that even without the \$41,000 from Enoch City, the Iron County Library fund would be within about \$10,000 of balancing. Gene postulated that by reducing staff and/or hours, the Bookmobile might be able to reduce costs and make up the shortfall.

David Miller expressed that the Bookmobile repository located in Enoch is a critical component to the Iron County Library system, as well as a great benefit to the citizens of Enoch. David suggested that by considering the repository currently in place that benefits the citizens of Enoch as a component of the Iron County Library system, Iron County could choose to support that dual purpose repository through the taxes in question as well as through the accumulated monies in the Iron County Library fund. He noted that this would not only provide for the continued operation of the Bookmobile, but also the continued function of the Bookmobile repository as a library to Enoch. David explained that this type of scenario would benefit all the parties involved, as well as provide an equitable and beneficial way to dispose of the excess funds in the Iron County Library fund.

Dale Brinkerhoff explained that roughly \$82,000 of the collected tax for the Iron County Library fund comes from the unincorporated areas, and that those monies should be applied to the Iron County Library System, or Bookmobile. Dale noted that they could scale down their operation to match the funds available in order to stay within that budget.

Alma Adams asked what the cost of continuing the Enoch Library would be. He wondered what percentage of utilities were paid by the Bookmobile and what staffing costs were. Rob Dotson responded by explaining that the library could be scaled to match whatever funds were available. Rob noted that whether they had \$10,000 to work with or \$113,000 to work with, the Enoch Library operation could match the funding available. Alma Adams asked whether the State Library has personnel assisting the Enoch Library.

Rob Dotson explained that prior to Enoch City housing the Bookmobile repository, the repository was housed at Cedar Middle School, and was not open to the public. It was strictly a repository. When Cedar Middle School was about to be demolished, the Bookmobile approached Enoch City, asking whether they could furnish a place to serve as the Bookmobile repository. Rob noted that Enoch City housed the repository in the Enoch Police station, and now houses the repository in the "Old School Library."

David Miller asked what the staffing currently was at the Enoch Library. Rob Dotson explained that there is one part time and one full time employee, which is funded by the State Library. David Miller then surmised that were Iron County to continue to support the contract in place with the state Bookmobile, the Bookmobile repository could remain open for the citizens of Enoch, as well as the continued operation of the Bookmobile. David noted that there are funds in place, and that the \$10,000 per year shortfall is close enough to scale down the Bookmobile operation such that the operations should be able to continue. He expressed that he would be able to support such a scenario. Alma Adams expressed that he too, would be able to support that approach to the situation.

David Miller expressed desire to continue the Bookmobile service, but that the Bookmobile service currently makes 40% of its stops in Cedar City. He questioned the fairness of bringing the Bookmobile into Cedar City, as well as making the \$84,000 distribution to Cedar City. David suggested that the Bookmobile could scale back its stops, including within Cedar City to help keep it under the \$10,000 shortfall moving forward. Rob Dotson noted that the Bookmobile manager has scaled back the operations already, noting that over 50% of its stops are in unincorporated areas. A discussion ensued about the reciprocal nature of library access in Iron County, be it unincorporated residents accessing city libraries or city residents accessing the Bookmobile. David Miller noted that library access in Iron County is flexible for all residents.

Dale Brinkerhoff expressed that if Bookmobile stops need to be curtailed to stay within budget, any eliminated stops should come from within Cedar City and Parowan, and that the service to the unincorporated areas should remain unchanged. Dale expressed that the portion of the Iron County Library fund that comes out of the unincorporated areas should dictate the level of funding for the Bookmobile service.

David Miller made a motion to move the Bookmobile discussion to the next meeting, pending review with the Utah State Library Board, with Enoch City; with the Iron County Attorney to determine what Iron County can and cannot do with the Iron

County Library system, also prepare any interlocal agreements may be necessary; and with the Iron County Auditor, who shall provide a detailed report showing assessed value, collection and disbursement figures for recent history regarding the Iron County Library fund, in order to detail how the funds accumulated in the fund. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION REGARDING CONTRACT WITH MESA CONSULTANTS

Dale Brinkerhoff explained that the Iron County Commission could only approve a set amount of \$148,000 to be paid to Mesa Consultants, an architectural firm regarding the design of a new public safety building to be located in Cedar City, due to no contract being prepared to be signed in time for the Commission Meeting.

Alma Adams asked if the \$148,000 would come out of the Community Impact Board (CIB) monies set aside for the design and construction of the public safety building, or if it would have to be paid for out of the Iron County general fund. Dale Brinkerhoff responded that the architectural costs were to come out of the CIB monies and not the Iron County general fund. Dale further clarified that the future tenants would have to make due with the space allowed by the construction budget, and that the furniture, fixtures and equipment (FF&E) would be the responsibility of the tenants. He expressed that in no way was the construction budget to be exceeded. Dale reiterated that the Iron County Commission would not approve a bid that exceeds budget, nor would Iron County incur any out of budget expense for the building.

Cindy Bulloch, Iron County Assessor, asked when the building was slated to be completed, noting that if it were a for profit entity as lessor, it would become taxable. David Miller responded that the building was scheduled to be completed in the spring of 2016. The Commissioners clarified that the tenants will be: Adult Probation and Parole, Drivers License, Dispatch, Utah Highway Patrol, and the Task Force.

David Miller moved to award the contract in the amount of \$148,000 to be paid to Mesa Consultants based on their proposal, with the caveats that the project shall not exceed the amount specified by the Community Impact Fund Board (CIB) and that the Operations and Maintenance (O&M) costs shall be reviewed annually, and that those expenses will be borne by the State of Utah. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

NON-DELEGATED ITEMS

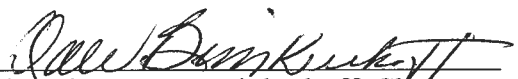
The Commissioners expressed no reservation to grant the request that the Beryl Community Center's request for 12 surplus chairs located in the basement of the courthouse. Dale Brinkerhoff noted that there would need to be a discussion about the Beryl Community Center in its entirety. Dale also noted that there needs to be a Community Development Block Grant Program (CDBG) application for a well to benefit the Beryl Community Center. Dale noted that the area qualifies as "economically depressed," for a grant because of its poverty level rating this year. The Commissioners clarified that the well would benefit the Beryl Fire Department to increase the capacity to fill their fire trucks.


Chad Nay, Zoning Administrator, brought the issue of insufficient volume of natural gas to the courthouse boiler before the Commissioners. A discussion ensued regarding possible fixes to the problem. Chad expressed concerned about the expense of the repair, being about \$12,000. Dale Brinkerhoff questioned whether the contractor had built the lines according to the engineer's specifications. Chad Nay said that he did. Dale Brinkerhoff stated that Iron County should pay the contractor, but not the engineer until the problem is solved. David Miller expressed gratitude that the contractor was willing to rework the line, but that the contractor needed to complete the repairs in a timely manner.

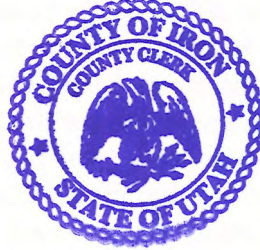
Cindy Bulloch, Iron County Assessor, brought to the Commissioners' attention several land owners that will be desirous to come before the Board of Equalization to ask for various adjustments to their taxes. The Commissioners listened to each overview given by Cindy Bulloch, and agreed to hear some of them as the Board of Equalization.

ADJOURN

Dale Brinkerhoff announced adjournment.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
February 9, 2015**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 9th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
Scott Garrett	County Attorney
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

H. Eugene Adams	County Auditor
Cindy W. Bulloch	County Assessor
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director
Lieutenant Brad Spencer	Corrections Supervisor
Lori White	Justice Court Administrator
Reed Erickson	Iron County Planner

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Brad Spencer.

INVOCATION

An invocation was offered by Scott Garrett.

DEPARTMENTAL REPORTS

Scott Garrett, County Attorney, reported on the Attorney’s Office budget as of November 30, 2014. Scott noted that the department had used 85.47% of the 92% of the budget they should have used at that point. He felt confident that, based on that snapshot

that the Attorney's Office finished 2014 under budget. Scott noted that he did not observe any line items that were over budget, except vehicle fuel, which was a little over.

Scott continued his report by reviewing departmental statistics. He noted that felony cases increased to 511 in 2014, in particular those that were drug-related. Scott noted that felony cases provide a better gauge where the county is and how busy the Attorney's Office is because they do not fluctuate as much.

Alma Adams asked what type of felonies constituted the majority of the cases. Scott Garrett answered that the felony drug cases constituted the majority of the cases, with some categories at all-time levels. Scott noted that the Drug Task Force filed on 112 cases.

David Miller asked what Scott Garrett's opinion was concerning a bill requested by Governor Herbert to reduce certain drug offenses from felonies to Class A misdemeanors for the first four offenses. Scott replied the Utah County and District Attorneys Association had discussed the issue and even approached the Governor about it. Scott clarified that he and the Association were not supportive of changing the felony crimes to misdemeanors. Further, they were not in support of changing drug distribution charges from 2nd Degree felonies to 3rd Degree felonies. Scott felt that unfortunately, the legislation had some momentum behind it. Scott explained that the impetus behind the legislation was to reduce prison populations and focus more on treatment. David Miller noted that the rural counties of Utah do not receive funding like larger counties do for rehabilitation. David felt like Salt Lake County would be the only county to receive such funding. David and Scott expressed that there was some opposition to the bill.

Scott Garrett and the Commissioners then discussed funding for rehabilitation. Dale Brinkerhoff mentioned the Southwest Center as a resource. Scott Garrett mentioned that he would like to see more done to rehabilitate drug users, but not at the expense of the tools prosecutors currently have in such cases.

Scott also reported that homicides held steady at four. He also mentioned that the Attorney's Office currently has ten active homicides or attempted homicides they are currently prosecuting. He mentioned that 2015 could be a very busy year, as the Attorney's Office works to bring those cases to trial.

Dale Brinkerhoff asked whether the Thad Robertson case would end in a plea bargain, or whether it would go to trial. Scott Garrett said that he thought it would go to trial. Scott mentioned that he had made an offer in the case, but that they did not seem interested.

Dale Brinkerhoff then asked whether the idea of charging a \$200 fee for a second appeal had ever been implemented. Dale clarified that the notion of charging for subsequent appeals after their first appeal to discourage the behavior had been discussed. Michael Edwards said that such a fee had not been implemented, but that the Attorney's Office typically asks for reimbursement for the public defenders at the time of sentencing. Scott Garrett clarified that, depending on the length of the case, the Attorney's Office is reimbursed from \$100 to \$400. Scott said he was unsure of how much of those monies are returned to Iron County.

Scott Garrett explained further that with an appeal, the case moves from District Court to the Court of Appeals, where Iron County has no jurisdiction. Scott said he does not know how he would impose the \$200 fee for an appeal. Dale Brinkerhoff clarified that his desire was to bring the number of frivolous appeals down, thereby reducing the Public Defender expense.

Scott Garrett responded, explaining that limiting the opportunities for convicts to appeal begins to infringe upon their constitutional right to appeal. Any action to limit the right to appeal would appear to be trampling on convicts' rights. Scott further explained that Iron County is only financially responsible for the first appeal. Subsequent appeals are not Iron County's financial responsibility. Dale Brinkerhoff asked whether the Attorney's Office was doing the best it could under statute. Scott Garrett answered that, yes, they were doing the best they could.

Alma Adams asked the reason for the high number of appeals. Scott Garrett responded that of the high number of appeals came from a relatively small number of convicts. David Miller asked at what point we as a community need to intervene to prevent wasting tax dollars on frivolous appeals. Scott Garrett replied that this paradigm bolsters the argument against the proposed legislation reducing the drug penalties as suggested by the Governor because now those individuals will not be in prison, but free to commit additional crimes that they can later appeal. Further, the monitoring of those convicted of Class A misdemeanors is much less than those convicted of felonies, thereby

increasing recidivism. Michael Edwards also noted that for Class A misdemeanors, incarceration happens in the local jails, not in the state prisons, which constitutes a cost shift from the State of Utah to the counties.

David Miller noted that the Utah Association of Counties (UAC) has taken a position opposing the proposed legislation. Scott Garrett responded that while there are many voices in opposition to the proposed legislation, there are also many in favor of it. David Miller said he felt that those in favor of the proposed legislation were considering the individuals that are not perceived to be doing anything but being involved with illegal drugs. David noted however, that in his conversations with Sheriff Gower, that in cases of abuse or domestic violence, drugs are almost always involved. He said that to weaken the position of the State in terms of drugs is a mistake. David expressed that he felt the efforts to get people off drugs were great, but that weakening the penalties was not the answer.

Scott Garrett replied, noting that nationwide, law enforcement and prosecutors are suffering from a lack of trust which precipitates laws that take away the prerogative they have under the law to compromise for everyone involved. Scott noted that Class A misdemeanors are given in most instances. Typically, Drug Court, treatment, and other non-prison options are exhausted before a person is sent to prison. Scott noted that this legislation will mainly take the discretion away from prosecutors. He also explained that with Class A misdemeanors individuals can never be sent to prison. Scott then asked the Commissioners to exert any influence they have to oppose the proposed legislation.

Lori White, Justice Court Administrator reported that the atmosphere in the Justice Court had become increasingly more comfortable. Lori noted that her main focus was to understand and manage the financial aspects of the Justice Court to the best of her abilities. She mentioned that from daily reports to monthly reports, she said everyone had come together to make sure they were accurate and submitted on time.

Lori explained that she felt like the personnel aspect of the Justice Court was doing well. She noted that she was seeking to understand the judicial aspect better. Lori had been attending as many courtroom sessions as possible to absorb and better understand the roles of clerks.

Lori expressed gratitude to the IT Department for their assistance with the Justice Court portion of the Iron County website (www.ironcounty.net). She explained that by having more of the Justice Court policies and information online, that it would reduce the influx of calls and questions to staff. Lori felt as though this would reduce the burden on staff, and free them up for more vital functions.

Lori expressed that her goals were to help the court clerks catch up with their reporting, as well as to make the clerks feel they have a voice. Lori noted that some of the reports are months past due. Dale Brinkerhoff asked why other agencies had not complained about the past due reporting. Lori responded that she needs to understand each part of the process better. She expressed concern that during a future audit, issues would come up if the reports do not become current.

Lori concluded her report by expressing gratitude for new equipment the Justice Court was able to acquire. In particular, there were five new headsets for the clerks, as well as new computers with dual monitors.

Lieutenant Brad Spencer, Corrections Supervisor reported that in 2014 approximately \$967,000 in revenues were received. Lieutenant Spencer also reported that approximately \$187,000 of inmate debt were referred to collections in 2014.

David Miller expressed gratitude to Lieutenant Spencer for clarifying that the optimum number of beds is 212. David explained that this dovetails with the discussion earlier with County Attorney Scott Garrett regarding misdemeanors versus felonies. Lieutenant Spencer agreed that by having more misdemeanors and fewer felonies there would be a cost shift to Iron County and away from the state of Utah.

Dale Brinkerhoff asked for clarification regarding the \$187,000 of inmate debt referred to collections in 2014. Lieutenant Spencer replied that most of that debt was due to the "Pay for Stay" program wherein the inmates are required to pay \$10 per day of incarceration. Dale Brinkerhoff then asked how that program could be strengthened. Lieutenant Spencer explained that they simply send those individuals to collections. Michael Edwards warned that Iron County should exercise caution in doing any more than refer those individuals to collections, citing problems that Davis County has experienced.

Lieutenant Spencer then described some of the capital improvements made at the jail. He noted that sidewalks and curbing were repaired on the Northwest and South sides

of the building; the motors on the HVAC system were upgraded; newer circuit boards were installed; tile in the womens' employee locker room was repaired from an earlier broken pipe; the squad room and break room both received fresh coats of paint; additional cameras were installed; 20 new Glocks were purchased; they purchased a new warmer to improve operations in the kitchen; a new truck was purchased for the work crew using savings reallocated from the culinary budget; nonlethal rounds for the CRT team were purchased; and finally, a new conference room table was purchased so that staff meetings and training can be held in a better setting.

Lieutenant Spencer reported that the jail completed 661 bookings during the fourth quarter of 2014, an increase of 124 bookings over the previous quarter. He also noted that the average daily inmate population was 138, this also was an increase. Dale Brinkerhoff asked what the current jail population was, to which Lieutenant Spencer replied there were currently 152 inmates housed. He elaborated that of those ten were state inmates and nine were federal inmates.

Lieutenant Spencer reported that the inmate work crew performed about 714 hours of service, noting that most of the work was performed for the Iron County Engineer's office.

Lieutenant Spencer reported that they have a video court system that has saved them a great deal of travel expense. He explained that 68 inmates have used the system to prevent travelling to the various courtrooms where they were to appear in court, saving a great deal of expense in travel costs.

Lieutenant Spencer then described the video visitation system that they have employed in the jail, allowing the public to visit with their inmate from their computer at home. This video visitation system has saved many man hours preventing having to move inmates around the facility.

Lieutenant Spencer then offered a suggestion, noting that currently Iron County operates three kitchens, one at the jail and two at the Council on Aging. He suggested that those kitchens be consolidated into one, and that the jail could meet the needs of all three, thereby reducing costs. He noted that in Utah and Davis counties, this is already the practice. Lieutenant Spencer noted that the jail's menus have already been approved by a dietitian, that they provide special meals, such as diabetic, low salt, and various religious diets. The commissioners expressed enthusiasm at this cost-saving idea. The commissioners acknowledged that the jail is ran efficiently.

Dale Brinkerhoff asked what a good time frame would be to revisit the architecture of the jail facility. Lieutenant Spencer responded that he felt that it might make sense to revisit the architecture of the jail facility in about five years, and that any potential building changes would make sense in roughly ten years. Dale Brinkerhoff then explained that he had discussed the possibility of adding 25 additional beds to the facility with Captain Brett Allred. These beds were to be added in what is currently an exercise room, however, there were plumbing and other issues that prevented this change. Instead, Iron County was hoping to receive 25 additional state inmates. Lieutenant Spencer explained that currently there are about 50 available beds, noting that they try to keep a reserve to manage the ebb and flow of prisoners.

PUBLIC COMMENTS

Gordon Batt commented on the prior meetings regarding the transfer of deer from the Panguitch Lake Unit. Gordon noted that he and his son, Destry, have been unsuccessfully contesting said transfer since November. He explained that he was there to express his feelings about how the process transpired. Gordon noted that his group had amassed over 400 signatures, but that he felt that those people were trumped by the seven people that came in from the Department of Natural Resources. He expressed frustration at having been excluded from the Sportsman for Wildlife function that was to explain the transfer of deer. Gordon then lamented that the deer are now gone. Gordon noted that within his family they have been unable to locate even a fraction of the deer. He noted that by the Department of Natural Resources own estimation 60% of the deer transferred perished. Gordon questioned how that could possibly be an acceptable mortality rate. He then expressed frustration that Teresa Griffin and other Department of natural resources staff have not been willing to reconnoiter the deer with the Batts. Gordon then surmised that this was because they were unable to defend their position. He then asked the Commissioners how this absence of deer would fit into the Iron County general plan. He asked whether or not they were concerned about how it would affect the economy. He questioned whether the Commissioners understood the impact the missing deer would

have on Iron County. Gordon then asked the Commissioners why he and his son Destry were not informed that Kevin Bunnell and the other staff from the Division of Natural Resources would be at the previous Iron County Commission meeting (held on January 26th, 2015). Gordon explained that he felt like he was stepping into an ambush, and that he would have prepared very different tactics had he known the DNR staff would be in attendance. Gordon said that he simply wants the deer saved. He concluded by expressing his disappointment and frustration with the Iron County Commission for having ignored his pleas.

Bryan Thiriot, Executive Director for the Five County Association of Governments (Five County), brought two items before the Iron County Commission. The first was to ask the commissioners what they felt the number one economic issue facing Iron County was. The second issue Bryan brought before the commissioners was the lease agreement Five County has for space in the Fiddlers Canyon building. Bryan noted that they would like to renew their lease, but that they would be vacating the West side of the unit they currently occupy. Dale Brinkerhoff asked Bryan Thiriot to prepare a presentation explaining what Five County would like to do with the unit.

Dale Brinkerhoff returned to Brian's original question which was what is the number one economic issue facing Iron County. Dale asked for continued support regarding the Utah Prairie Dog, helping to ensure the success of Syberjet, the job market, the slowdown in the iron mine operation, and water as it relates to future development in both Iron and Beaver counties.

David Miller noted that his number one economic concern facing Iron County is the tinderbox condition of our National Forests, and that we need to have the tools available to mitigate a large scale disaster. David expressed a desire to see a viable timber industry once again established in the forests on our mountains. He also expressed the need to work with and coordinate with the Forest Service such that forest roads are not unnecessarily closed, thereby limiting access. David echoed Commissioner Brinkerhoff regarding several public lands issues, including mining. He expressed concern over potential frivolous lawsuits that may impede the development of responsible mining in Iron County. Further, David mentioned SUU, tourism, the Utah Shakespeare Festival, The Utah Summer Games, the attraction to the rail spurs in Port 15, and the need for economic diversity.

Alma Adams expressed his concern regarding water. Alma noted that with ongoing growth and agricultural use as well as a deepening drought, the water situation may become acute in the near future. He expressed optimism that our region may receive relief from the drought conditions. Bryan Thiriot commented that instead of seeing snowplows that morning he had seen a work crew sealing the road surface.

Alma Adams also voiced concern over a three forest review that was occurring that appeared to be biased against grazing. Alma noted that there is a great deal of local support for grazing, and that a significant conflict on the subject would likely be coming.

Mike Worthen, the Iron County Natural Resource Management Specialist, reported on the progress made regarding the three forest review. Mike noted that he had been working on a draft of the Iron County Natural Resource Plan, particularly regarding grazing. He reported that all of the surrounding counties except Kane thus far had expressed interest in developing a grazing plan. Mike wondered if the Five County organization could help coordinate and draft a grazing resource management plan. Alma Adams expressed that by having such solidarity, the counties would collectively have more clout.

CONTRACT BETWEEN IRON COUNTY AND MESA CONSULTANTS REGARDING THE PUBLIC SAFETY BUILDING

William McMurrin, Principal Architect at Mesa Consulting Group, began by discussing the contract that had been sent to the Iron County Clerk's office. David Miller mentioned that the telecommunications conduits for the dispatch office needed to be included in the plans. William mentioned that he felt Mesa Consultants and Iron County were on the same page in this regard. He felt as though the plans did include adequate infrastructure for the telecommunications equipment.

William McMurrin explained that Mesa had met with all of the future tenants and discussed their needs to help with the architecture planning. William then proposed weekly meetings to discuss the progress of the Public Safety Building. The

Commissioners agreed, noting that Dale Brinkerhoff would attend the weekly meetings, as well as be the liaison between Iron County and Mesa moving forward.

William McMurrin then asked to show the Commissioners some of the preliminary plans Mesa had developed. The first concern William brought to the Commissioners' attention was concerning the site, in particular, parking. The dispatch department expressed a desire to have parking that is closer to the entrance. For this reason, Mesa suggested that the southerly parking area be designated as Dispatch and Utah Highway Patrol only. William noted that the building requires 68 parking spaces. He expressed concern that the new building was reducing the existing parking, which might cause a problem with overall parking. William noted that Mesa would be checking with Cedar City regarding overall parking.

Dale Brinkerhoff then noted that an issue of greater concern was the existing underground irrigation easement that runs somewhere under the proposed Public Safety Building. Dale expressed that the building would likely need to be flipped to accommodate the existing irrigation easement. He mentioned that the intention had always been to relocate said easement to the East to move it out of the way of the Public Safety Building. William McMurrin explained that Mesa had been using Watson Engineering for site and survey work. Dale Brinkerhoff expressed that locating the existing underground irrigation easement should be paramount before moving forward.

William McMurrin then mentioned the basement of the planned Public Safety Building. William discussed possibly simplifying the basement configuration by not having basement under the Easterly wing of the building. William and the Commissioners then discussed how to provide access to the basement. They discussed stairwells, an elevator, an elevator shaft, and an external entrance to the basement. Alma Adams suggested that at a minimum, an elevator shaft should be included to accommodate any potential future need.

Reed Erickson, Planner and Special Services Coordinator for Iron County, then posed a question regarding the additional cost of building the basement. Reed wondered whether the State of Utah would be footing the additional cost of the basement through their lease agreements, or whether Iron County would pay the additional cost of building the basement. David Miller responded that the objective was to gain the additional value of a basement for a negligible additional cost. David noted that if the basement is built, the cost of building the basement versus not building the basement would be tracked. He also explained that any additional cost of construction would be shared between Iron County and the State of Utah.

A discussion then ensued regarding timing. Everyone agreed that construction was to begin in May. David Miller noted that there was a need for Reed Erickson to communicate with the Community Improvement Board (CIB) that funding needs to be in place ahead of time so the architects and contractors would be able to receive payment.

David Miller made a motion to approve the architectural contract with Mesa Consulting Group, with the details to be finalized with Wayne Christensen and Dale Brinkerhoff, with the clarification that no approvals will be granted for project costs above the monies approved by CIB. The only exception being any additional costs that may arise from construction of a basement. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

NIGHT HUNTING ORDINANCE OF NIGHT HUNTING INCLUDING SPOGHTLIGHTING WITH A WEAPON.

Due to the need to properly advertise, Alma Adams made a motion to defer the night hunting ordinance discussion until the February 23rd Iron County Commission meeting pending proper public notice of the necessary public hearing. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

FIDUCIARY ENGAGEMENT AGREEMENT WITH GEORGE K. BAUM & COMPANY

David Miller noted that in every way, the interactions that George K. Baum & Company had with Iron County had been prompt and very professional. David Miller then made a motion to accept the fiduciary engagement agreement with George K. Baum & Company. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION CONCERNING THE IRON COUNTY BOOKMOBILE CONTRACT

The discussion began by a discussion regarding a spreadsheet Gene Adams, Iron County Auditor had prepared regarding the Iron County library service. Gene explained that "payments receivable," reflects the total tax charged, not necessarily the total tax collected, and that his spreadsheet did not account for delinquent taxes. Dale Brinkerhoff noted that Iron County should have been dispersing all of the Iron County library funds collected each year to the Parowan and Cedar City libraries. Unfortunately, Iron County had been dispersing only a fixed amount to the Parowan and Cedar City libraries each year, thus accumulating a \$464,000 fund balance.

Dale Brinkerhoff then expressed that he felt there were two separate issues to be addressed during the discussion regarding the Iron County Bookmobile: first, it was necessary to determine how much money would be available for the Iron County Bookmobile moving forward; second, determine how the Iron County library funds should be best used, and legally how they could be used in regard to the Bookmobile service and the Parowan and Cedar City libraries.

Gene Adams then noted that by his calculations, Iron County had shorted the Cedar City library \$186,000 and the Parowan library \$64,000. Dale Brinkerhoff questioned why Gene Adams' calculation did not total \$464,000. Gene noted that there were several factors that caused this, the primary factor being the \$41,000 that Enoch City had been paying to the Iron County library fund.

David Miller asked Gene Adams if there had been agreements made in the past that reflected the service the Iron County Bookmobile provides to Cedar City and Parowan City, thereby reducing the amount Iron County pays to those city libraries. Gene responded that he was unaware of any such contracts, and that he simply paid the Cedar City and Parowan libraries based on the billing he had received and historical disbursements.

Gene Adams then explained that because of the timing of tax collection and the timing of when he makes payments, the \$464,000 balance is artificially inflated and should more accurately reflect \$261,000. David Miller then questioned whether Iron County was collecting more monies than it should be based on taxes and any agreements that might be in place. David then asked for clarification as to whether the \$261,000 reflected the available fund balance. Gene replied that, in fact, there were \$40,000 collected that he would pay out the following year, and therefore the available fund balance was actually \$221,000.

Gene Adams continued, explaining that based on what he had budgeted and what the State of Utah had billed for the Bookmobile contract, the budget for the Bookmobile would be about \$15,000 short in 2015. Gene then explained that of the Iron County library funds collected, \$82,270 came from unincorporated areas and \$12,293 came from Enoch City. Combined, this provided roughly \$95,000 to go toward the Bookmobile program.

David Miller asked whether the only reason the budget for the Bookmobile would be \$15,000 short was that Enoch City would no longer be paying the \$41,000 they had historically paid. Gene Adams responded that yes that was the reason.

Gene Adams explained that his plan moving forward was to account for the \$221,000 available fund balance as follows: keep a surplus cushion of \$20,000 in the account; pay out \$40,000 later in the year; pay the Cedar City library a pro-rated \$138,585; pay the Parowan City Library a pro-rated \$47,685; and leave a \$15,000 shortfall with the Bookmobile.

David Miller asked whether anyone present remembered an agreement existing regarding payments to the Cedar City and Parowan Libraries. Steve Decker, Cedar City Library Director explained that he never found a contract, but that he recollected seeing some minutes of a meeting where the funds from incorporated areas were to be distributed two-thirds to Cedar City, and one-third to Parowan.

David Miller stated that he was searching for an equitable solution that made responsible use of the accumulated excess funds, as well ensure the continuation of the Bookmobile service. At that point, the discussion then moved to the Bookmobile schedule. It was determined that the Bookmobile service covered the majority of the county, but did not support Northern Iron County well, nor did it support Brian Head at all. The Bookmobile did have various stops in Cedar City.

Rob Dotson, Enoch City manager, noted that in Utah Code §9-7-509, counties and cities may cooperate in interlocal agreements to provide library services. Rob expressed concern that in Utah Code §9-7-504, it states that tax money received for county library systems must only be spent on county libraries, thereby excluding municipalities from receiving remittances from the Iron County Library Fund. Paul Bittmenn, Cedar City Attorney, stated that there is a need for a written agreement. Paul expressed that by virtue of interlocal agreements, taxes can be levied and excess funds could be dispersed. Paul noted that the current arrangement has been in place for about 105 years.

There was a discussion regarding petitioning the legislature to modify Utah Code §9-7-504. Dale Brinkerhoff suggested that in the meantime, the parties involved draft an interlocal agreement to formalize and clarify the arrangements in place. Dale noted that the Iron County Commission needed to decide how to distribute the excess library fund balance, also determine what amount of funds need to be dedicated to the ongoing operation of the Bookmobile. Further, Dale expressed that he felt the Bookmobile should be funded from the taxes collected from the unincorporated areas of Iron County and from Enoch City.

David Miller asked Michael Edwards what concerns he might have moving forward with an interlocal agreement. Michael expressed similar concerns to Rob Dotson, in that Iron County levies a countywide library tax but subsequently disperses part of it to cities that have their own library system, potentially putting Iron County in conflict with Utah Code §9-7-504. Michael explained that he would not oppose a solution that did not conflict with Utah Code §9-7-504. Rob Dotson noted that there are counties in the state of Utah where remittances to city libraries are standard practice.

David Miller made a motion to petition a bill file with the legislature to clarify the verbiage in Utah Code §9-7-504 that is troublesome; also, to draft an interlocal agreement moving forward that addresses remittances to the cities; to postpone the decision to distribute excess monies in the Iron County library fund until such interlocal agreement or agreements are in place; and finally, to approve funding for the Bookmobile service in the amount of \$94,563 which reflects taxes levied against unincorporated areas and against Enoch City. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PERSONNEL MATTERS

Leslie Bishop, Human Resources Director, requested that Kaitlin Sorenson be moved from Part Time Clerk to Full Time Clerk in the Justice Court. Leslie noted that Kaitlin has already competed for that position, her name was already on the roster, and she is the next person on the list which satisfies the requirements for career service management. Leslie also noted that this is a backfill position. Alma Adams made a motion to approve the change from Part Time Clerk to Full Time Clerk for Kaitlin Sorenson. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented the name of Jenna Crosier as a backfill hire to be a Kitchen Helper in the Council on Aging. David Miller made a motion to approve the backfill hire of a vacant position to hire Jenna Crosier as a Kitchen Helper for the Council on Aging. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

CONSIDERATION OF DISPOSITION OF MINERAL RIGHTS UNDER A.P.N. E-142, LOCATED IN SEC. 30, T35S, R12W, SLM

Reed Erickson, Planner and Special Services Coordinator for Iron County, explained that the mineral rights in question are under A.P.N. E-142, located in Section 30, Township 35 South, Range 12 West. The property is owned by Franklin W. Nichols and Celestia Nichols and is part of a photovoltaic solar project being installed by SunEdison. Reed explained that Iron County obtained the property in 1931 on a tax lien. In 1987, Iron County conveyed the property to the Nichols in trade for the land the Fiddlers Canyon building is on. At that time, Iron County retained the mineral rights. Reed explained that after visiting with several long-time employees of Iron County, none of those seasoned employees felt like Iron County retaining mineral rights under a parcel they convey was a common practice. Reed explained that Iron County customarily conveys the property as it received it, with no retention of minerals. Further, he explained that SunEdison's attorneys had prepared an agreement in which Iron County would

consent to subordinate the mineral rights it has for 20 years to a depth of 500 feet. David Miller stated that because the property is owned by someone else, and that even if Iron County were desirous to develop the retained mineral rights it would have no right to be on said property. Therefore, David Miller made a motion to approve the agreement to subordinate the mineral rights for a period of 20 years to a depth of 500 feet. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PRAIRIE DOG MATTERS


David Miller gave a report on the progress of the Utah Prairie Dog (UPD) Management Plan (the Plan). David explained that the Plan was progressing very well, with fewer impediments to private property development, as well as protecting and bolstering the UPD numbers on public lands. He noted that translocation of dogs would now be easier to accomplish on agricultural lands, thus saving the dogs from certain death, and helping to bolster the number of dogs on dedicated reserves on public lands. David also clarified that there would be a compensation element for agriculture that would help recoup the cost to equipment and crops. In non-crop, agricultural settings, farmers would be able to request translocation of dogs to prevent spread on private property.

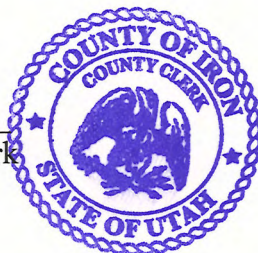
David Miller explained that part of the UPD Plan is to bolster and verify the numbers of dogs on public lands with the goal to have 2000 dogs on reserves on public lands. David noted that were that level of dogs achieved, the restrictions could be lifted completely, allowing for dogs to be removed from private property without going through any process. He explained that the UPD Plan changes the long standing paradigm wherein the UPD is hated and is a hindrance, to one where the UPD populations are supported in order to lift the restrictions on dealing with them.

ADJOURNMENT

David Miller made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
February 23, 2015**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 23rd, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Officers absent:

David J. Miller (Excused)	Commissioner
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Also present:

H. Eugene Adams	County Auditor
Cindy W. Bulloch	County Assessor
Mark O. Gower	County Sheriff
Nicole B. Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	8
APPROVAL OF MINUTES	5
DEPARTMENTAL REPORTS.....	1
DISCUSSION REGARDING THE IRON COUNTY AMBULANCE SERVICE.....	5
FRONTIER HOMESTEAD STATE PARK STATUS UPDATE.....	7
INVOCATION	1
NOTIFICATION OF CONDITIONAL USE PERMITS FOR SOLAR POWER.....	6
PERSONNEL MATTERS.....	8
PLEDGE OF ALLEGIANCE.....	1
PRAIRIE DOG MATTERS	8
PUBLIC COMMENTS	5

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Jon Whittaker.

INVOCATION

An invocation was offered by Danny Stewart.

DEPARTMENTAL REPORTS

Jon Whittaker, County Clerk, reported that in terms of his budgets, everything appeared to be within range. One concern that stood out was the non-departmental paper budget. He noted that he had made a large purchase of paper that had used roughly half of the paper budget for the year, but that he was given to understand that such purchases usually last around six months.

Jon Whittaker expressed gratitude at the reception he had received since taking office. He noted that he was still doing many things for the first time, and that he still had a great deal to learn. Jon expressed his desire to do a good job for the Iron County and for the Iron County Commission.

Dale Brinkerhoff noted that he felt the transition in the clerk's office had been smooth and professional and orderly on everyone's part.

John Higley, Emergency Management Coordinator, reported on the various grants that his department had received. He mentioned he was seeking an emergency management performance grant that would help pay for his wage as well as Stephanie Orton's wage. He also mentioned another emergency management performance grant that would provide matching funds for his salary.

John Higley noted that he had sent the commissioners a draft of the Emergency Operations Plan. John expressed his hope to be able to present the Emergency Operations Plan formally to the commission for adoption. He mentioned that as part of the Emergency Operations Plan there were 15 emergency support functions that were delegated to specific agencies. John expressed his desire that those documents be "can do documents," and that each respective agency receive and understand their role in emergency support, as well as be able to fulfill their assigned roles.

In terms of county resiliency, John Higley mentioned that he had been working on hiring an electrician to survey the county buildings for emergency power toward continuity of operations. John noted that the Sheriff's office was the only county building that had emergency backup power. He expressed his desire that each of the county buildings be fitted for emergency backup power. Dale Brinkerhoff noted that the Iron County Courthouse was wired for emergency backup power but that the generator had not worked for decades. Dale elaborated, noting that he was unsure whether the emergency backup wiring was complete or simply for emergency egress. Further, Dale explained that there was a need for emergency backup power specifically for computer backup. John Higley noted that he had been working with Mike Phillips, Cedar City Fire Chief, to prepare a memorandum of understanding (MOU) with the fuel suppliers in the area so that any backup generators in place would have sufficient fuel during an emergency. John noted that his goal was to be able to sustain a minimum of 120 hours emergency backup power.

John Higley expressed his desire to initiate a weekly class in the evenings. He explained that the intent was to explore a different topic each week. John expressed his desire to be able to advertise the classes well. Alma Adams advised that it might be a good idea to work with the IT Department in order to put it on Iron County's website (www.ironcounty.net).

Dale Brinkerhoff asked John Higley whether he was aware of any grants to help purchase the backup generators he had discussed. John replied that in fact there were grants available for that. John explained that there were various potential sources of grants, including regional grants and military. He explained that it is important to use generators of a proper size. Dale Brinkerhoff agreed that an electrical survey was necessary for each of the county buildings to help ensure properly sized generators.

John Higley indicated that he would pursue contracting with an electrician to perform the survey of the buildings, and that he would seek the approval of the Iron County Commission before moving forward. Dale Brinkerhoff explained that the Iron County Commission fully supports the efforts to supply emergency backup power, and that John Higley had the Iron County commission's full support to perform the survey of the buildings and that he should move forward.

John Higley then mentioned that he was working with local officials to perform an inventory of the flu vaccinations on hand. John explained that the goal was to have a stockpile on hand for public safety officers and emergency medical services (EMS) personnel so that those key individuals might receive a vaccination in the event of a pandemic. He noted that it was important for those key individuals and their spouses to have flu vaccinations set aside so that they will be able to function in an emergency situation. Dale Brinkerhoff asked whether the stockpiles being stored at Southwest public health were the stockpiles being discussed. John Higley indicated that they were the same.

Dale Brinkerhoff asked about emergency trailers. John Higley indicated that there was a state trailer in the yard at the Iron County Road department. John noted that that trailer was in a state of disrepair with dated equipment. He expressed a desire to update the equipment as needed, as well as separate the equipment into multiple trailers that could be placed strategically, thus being of greater benefit during an emergency. John explained that he was coordinating with other agencies to perform these functions as well as acquire grants and other funding. In particular he mentioned working with Paulette Valentine.

Dale Brinkerhoff thanked John Higley for his dedicated service and diligence in helping the county prepare for emergencies. John Higley replied that it had been his pleasure to work with so many good people.

Danny Stewart, Director of Economic Development, reported that he began working for the Iron County in October of 2014. Danny noted that he began working with various solar projects that had been in process. He reported that he had also been working with many of the same groups as Brennan Wood, such as the Utah Alliance for Economic Development, the Governor's Office of Economic Development (GOED), the Economic Development Corporation of Utah, the Governor's Rural Partnership Corporation, the Southern Utah Manufacturers' Association (SUMA), the Iron County Home Builders Association, and the Business Resource Center (BRC).

Danny Stewart explained that he is also a member of the board for the Cedar City Chamber of Commerce, and the Southwest Applied Technology Center (SWATC). Danny explained that he had been working with several members of the Economic Development Corporation of Utah (EDC Utah), Cedar City Corporation, Enoch City Corporation, Southern Utah University, Port 15 and even the Utah Shakespeare Festival. He noted these groups were working toward bringing EDC Utah to our area to help do some training. Danny said that he discovered the more visible these Southern Utah groups are, the more help groups like EDC Utah can be. He noted that with the solidarity of 5 different entities asking for time and attention, more resources would be marshaled.

Danny Stewart reiterated the value of fostering the relationships he had developed. He noted that all of these groups are able to help in building and expanding existing businesses and attracting new businesses, including both industrial as well as retail.

Danny Stewart explained that one of the projects he was involved with was called "Project Magnolias", a steel company seeking a seventh location. Danny noted that Iron County was a finalist in their search. Danny explained that the company was maintaining anonymity and that the name "Project Magnolias," was a pseudonym. He elaborated that they had made several site visits, and that if a facility were built here, it would mirror a facility the company has in Idaho. Further, Danny explained that the company uses steel beams to produce assemblies for large scale building projects. Dale Brinkerhoff asked whether it was primarily a steel fabrication company. Danny Stewart responded that it was primarily a steel fabrication company, and that a great deal of welding would be involved. Danny noted that SWATC had been involved, and that some training had been arranged. Dale Brinkerhoff then asked if, due to the product, rail siting was necessary. Danny Stewart replied that rail siting was a necessity, and that the company was working closely with Port 15.

Danny Stewart explained that the company fabricates large assemblies for everything from large sports stadiums to skyscrapers. Also, this company would not be competing with any local companies because its products are a much larger scale, with the majority of their customers being in the regional metropolitan areas. Danny noted that the company had narrowed the candidates down to 2 sites, Iron County and a site in Southern Arizona. He noted that the company has a positive relationship with Iron County, and that they have been asking for patience while deliberating on how they will expand, with an announcement anticipated during the first half of 2015.

Danny Stewart described another project seeking to locate in Southern Utah. It is an osteopathic school. The school is based in Denver. They are hoping to establish a satellite facility adjacent to SUU, South of the Science Building. Dale Brinkerhoff asked whether parking and facility space were issues. Danny Stewart replied that an agreement with Southern Utah University (SUU) had been reached for such arrangements. Danny expressed confidence, that during accreditation hearings he had attended, 3 other schools had sought accreditation and were mirroring the curriculum this school established. Dale Brinkerhoff asked how the school had arranged for rotations in the local hospitals, noting that this could be a major impediment. Danny noted that the specific details hadn't been worked out, but that they were less worried because a surplus of rotations were available. He explained that the school had regional opportunities to provide rotations to its students. Danny expressed that he felt the primary problem arose due to a lack of communication. Dale Brinkerhoff asked what the anticipated enrollment would be. Danny Stewart explained that originally the enrollment was expected to be 125 students, but currently, they expected around 100 students based on the size of the building. Further, Danny explained that the first two years would be classroom based in Cedar City, then the students would have two years of rotations. The school's board desired a

clarified Memorandum of Understanding (MOU) between the school and SUU, specifying that the school would not be a part of SUU.

Danny Stewart then mentioned the progress MSC Aerospace had made. They had expected to break ground on their expansion last fall, but had some setbacks in production. One of their subcontractors had failed to perform, causing setbacks in schedule. MSC had decided not to risk building during the winter. Danny Stewart reported that MSC anticipated breaking ground in late spring of 2015. Dale Brinkerhoff asked whether Zwick Construction was the general contractor. Danny Stewart reported that Zwick Construction would be the general contractor for the project.

Danny Stewart explained that several separate companies had approached both he and Port 15 seeking rail spurs to support the mining of silica sand regionally. Danny elaborated that these companies would be trucking the sand to the rail facilities in order to be shipped out by rail. Dale Brinkerhoff asked whether the rail load out facilities could be located closer to Cedar City in order to reduce wear on roads. Danny noted that any potential silica sand load out projects as well as the planned coal load out project would help bolster the rail loop originally envisioned for the Port 15 project. Alma Adams asked whether the silica would be locally sourced. Danny Stewart replied that the silica would be regional primarily within the Five County area. Danny concluded by stating that this type of project could help facilitate the completion of the belt loop project Iron County was working toward.

Danny Stewart then reported that he had been contacted by Cedar City Corporation desiring that his office spearhead efforts to refurbish the two welcome signs Cedar City has at the North and South I-15 exits. Danny also reported that his office was involved in updating the historic downtown area of Cedar City. He noted the importance of these efforts especially considering the Utah Shakespeare Festival expansion as well as the coming Southern Utah Museum of Art.

Alma Adams, County Commissioner, reported that he had been watching the progress of the legislature regarding transportation funding. Alma expressed that he felt an increase in the fuel tax would be preferable to any increases in sales tax generally. He noted that the Utah legislature had been discussing transportation funding, with various options, including a higher sales tax. Alma expressed that he felt user based fees are the best option. Alma noted that Old Highway 91 between Enoch and Summit in particular needed resurfacing, but sufficient funds were not available. He concluded by saying that Iron County's needs far outstrip available funding.

Alma Adams mentioned a bill brought forward by Kay McIff in the Utah legislature that would allow water to be taken out of company water systems. Alma noted that the Utah Association of Counties (UAC) and the Farm Bureau were against the bill.

Alma Adams discussed the ongoing concerns regarding grazing on U.S. Forest Service lands. Alma noted that he and Commissioner David Miller had met with Tony Rampton, Assistant Utah Attorney General with other regional county commissioners to discuss a planned 3 forest assessment that was discovered by local leaders, and that appeared to be biased against grazing. Alma explained that the regional counties had banded together in solidarity to fight the assessment. These local leaders plan to have Tony Rampton act as their voice for consistency. The group is arguing for a more holistic approach to forest management, with proper logging, controlled burns, and thinning of understory, as well as responsible grazing. Their position is that these forest management activities, including responsible grazing, will enhance the health of our forests.

Alma Adams reported that Linda Gillmor had been appointed as a replacement for Delynn Fielding as Director of the Office of Rural Development for the Utah Governor's Office of Economic Development (GOED). Alma was on the selection committee for this position, and stated that while there were six very qualified candidates vying for the position, Linda Gillmor stood out. He expressed optimism that Linda will be a tremendous help to rural development around Utah. Alma noted that Jake Hardman, an Enoch City resident, will be working closely with Linda Gillmor. Alma noted that Jake Hardman was likely to represent the Southern areas of Utah, while Linda will cover the Northern areas.

Alma Adams explained that the Central Iron County Water Conservancy District (CICWD) had been meeting with the State Institutional Trust Lands Administration (SITLA), as well as Potash Ridge. Alma explained that the water involved with the Potash Ridge Alunite mining operation, located in Beaver County has been in question, as well as the cost to develop said water and the potential benefits to Iron County. Alma stated that all of the parties involved were still in ongoing negotiations. He expressed

hope that all parties would be made whole in the end, and that both Beaver and Iron counties were strongly supporting the Potash Ridge project.

Dale Brinkerhoff, County Commissioner, reported that he had met with 2 commissioners from the Beaver County Water Conservancy District regarding Potash Ridge. Dale reported that it was a positive meeting, but that there were still issues to be worked out. He did note that the situation was nearing resolution and looked promising.

Dale Brinkerhoff noted that he had met with the architect group and the 5 agencies that will be the future tenants of the Public Services Building, which is planned to be constructed on the Iron County Jail parcel. He noted that the hope of including a basement was probably in vain, that it would not likely fall within budget. Dale noted that there were conflicting interests between square footage the agencies desire, and the budget available for construction. He concluded by reporting that the hope was to begin construction by the 1st of May.

APPROVAL OF MINUTES

Alma Adams moved to approve the minutes of the January 12th meeting of the Iron County Commission. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

PUBLIC COMMENTS

Randy Jensen asked the commission what their feelings were regarding the cow share bill that was going to legislature. Alma Adams asked Randy Jensen what his feelings were regarding the cow share bill. Randy expressed that it was problematic because it is illegal to sell raw milk. He expressed frustration that someone testified before the Utah legislature claiming to represent Iron County in favor of the cow share bill. Dale Brinkerhoff clarified that a person may not sell raw milk, but may give it away. Dale asked what the proposed change was. Randy Jensen explained that the rule was that a farmer is not allowed to sell raw milk, but can use it for him or herself or give it away. Under the cow share bill, many people would be able to buy a portion of a cow and would therefore not be buying raw milk but simply receiving their proportion of milk from the shared cow. Alma Adams expressed that the public safety concerns were valid, but that government should not interfere with peoples' right to own a proportional interest in a cow.

Randy Jensen then brought up another issue regarding an illegally operating farmers market. Randy noted that he had pointed out to Iron County that this farmers market was not only selling raw milk, but was operating a business without a license. He explained that this particular business was still in operation. Alma Adams asked what the State of Utah had done in this particular situation. Randy Jensen replied that they had written a cease and desist letter.

Dale Brinkerhoff asked what Randy Jensen would like the Iron County Commission to do. Randy Jensen expressed his feeling that the cow share bill was simply a way to circumvent public health rules and regulations. He felt that it provided a way to sell raw milk but call it something else.

DISCUSSION REGARDING THE IRON COUNTY AMBULANCE SERVICE

Alma Adams explained that with the upcoming hearing regarding the disposal of Iron County Ambulance assets, he wanted to explain the reasoning he and the other Commissioners used to make their decision. Alma then read a prepared statement whose major points are as follows: Iron County is a fairly conservative County with principles of conservatism that strive for smaller government and fewer taxes. Also that conservatism generally posits that private enterprise is more efficient than government. As an enterprise fund, the Iron County Ambulance service has accrued a debt in excess of \$2 million. This accumulated debt has concerned the Iron County commission for some time and has caused them to explore a variety of options. Before deciding to divest itself of the Iron County Ambulance service, there were discussions with past and current ambulance administrations to correct the problems. One potential solution that has been championed by some was to raise taxes to make up the shortfall. However when faced with raising city taxes the cities of Iron County were not interested. Instead the cities wanted Iron County to raise taxes, in spite of the fact that the majority of ambulance calls happen within city limits. I (Alma Adams) favor fewer taxes not more. One option that did not move forward was to combine the ambulance service with the fire department. Another idea that was rejected was to increase staffing levels in order to reduce overtime.

Yet another option was to move the ambulance billing in-house, but that did not gain traction. Furthermore, the cities were asked to make up any annual revenue shortfall the ambulance department might incur, but that idea was also rejected. In short, the Iron County Commission pursued many options to be able to pay down the debt.

Alma Adams continued, noting that several companies expressed interest in purchasing the ambulance assets and expressed willingness and capability to provide emergency medical services to Iron County. Alma noted that Utah state law does not require counties to provide emergency medical services. Alma reiterated that he and most citizens of Iron County adhere to conservative principles of smaller government and that in most cases private businesses can operate more efficiently. Alma challenged an argument that privatization might impair the health and welfare of the citizens of Iron County. Alma expressed that after doing his own research, he found no reason to believe the “doom and gloom,” predicted by some. Alma concluded by telling of his conversations with other municipalities that had private emergency medical services, and that they were receiving competent emergency medical service. He reiterated his commitment to the health and safety of the citizens of Iron County, and that by selling the ambulance assets, Iron County would be able to eliminate the accrued debt, maintain a high level of service to the citizens of Iron County, and not raise taxes.

NOTIFICATION OF CONDITIONAL USE PERMIT APPLICATIONS FOR SOLAR POWER

Reed Erickson, Planner and Special Services Coordinator for Iron County, presented two conditional use permits prior to their going before the March 5th meeting of the Iron County Planning Commission. One was Fremont Solar, LLC, located in Sec. 27, 28, 32 & 33, T32S, R8W, SLB&M. The second project was Rush Lake Solar, LLC, located in Sec. 26 & 35, T34S, R8W, SLB&M.

Reed Erickson then reviewed a spreadsheet showing 14 planned photovoltaic solar projects in Iron County. These projects were those that had progressed to the point that Iron County staff had been on site and had met with the land owners and/or developers. Reed noted that the projects listed were those with a high likelihood to move forward. He explained that the urgency behind all of these projects was that the federal tax credits would expire December of 2016. This deadline was for the construction of solar projects, therefore many of them were moving through the Iron County Planning Commission. Reed noted that the process is rather detailed, with the developers having to not only construct the projects, but also secure power purchase agreements as well as interconnect agreements.

Reed Erickson then discussed the potential economic impact these projects might have on Iron County. Reed explained that four factors were key: The first impact Reed pointed out was the effect on the tax base. The increase to the tax base for each project was listed on an annualized basis. One hypothetical Reed gave was that if a project were to cost \$150 million to construct; Iron County would receive roughly \$65,000 in tax revenue. Dale Brinkerhoff clarified that the \$65,000 in tax revenue was separate from the building permit fees. A discussion regarding tax incentives Iron County was providing then ensued.

The second impact Reed discussed was that of jobs. He noted that the larger solar projects would require about two full-time employees after construction was complete. The projections for employee requirements during construction were from 35 to 400 employees per major project. Reed noted that the total demand would be around 2000 additional employees during construction.

Reed Erickson explained the third economic impact as housing of the many employees during construction. He expressed concern that accommodations have not been made for where they might live or where they might come from. Reed noted that in particular housing was a concern because no prohibition for “man-camps,” was included in the conditional use permit. Reed felt like it was optimistic to think that there would not be an impact.

Finally, Reed Erickson pointed out that while developers are subject to the conditional use permits which they sign, Iron County may not be able to control as well the contractors the developers hire. Reed expressed concern that a great deal of the sourcing and contracts may not end up being local, and that some developers had stated they had little intention of sourcing locally.

Reed Erickson then explained in greater detail the Fremont Solar, LLC project. He noted that it was situated west of the I-15 area near Paragonah, and South of the Dutch Cowboy

Dairy; that it would consist of 460,000 solar panels covering nearly 800 acres, it would provide 120 Megawatts, and that a new substation would be required for it to connect to local transmission lines. Reed noted that the developer had addressed some drainage issues and that they planned on mowing the undergrowth which was primarily greasewood.

Reed Erickson noted that the Rush Lake Solar, LLC project was located just west of Minersville Highway near Rush Lake, at roughly 6400 N. on the Cedar City addressing grid. This was also a larger project that would require a new substation. Also, Reed noted that the developer had been accommodating in regard to leaving a corridor for the planned Northerly route of the belt loop. At that point Reed explained that there was a need to have a coordinating meeting with the local municipalities to determine the alignment of the Northerly route of the belt loop.

Dale Brinkerhoff asked Cindy Bulloch whether due to the large increase in taxable value that the many solar projects would be bringing to Iron County, the depreciation that would eventually occur would cause a burdensome tax shift in the future or not. Cindy Bulloch replied that there was a risk of such a tax shift. Reed Erickson interjected that the generous tax incentives given to the solar companies that begin high, but taper off over time would actually help mitigate any future potential tax shift. Dale Brinkerhoff asked those present whether there was a way to construct the contracts between Iron County and the solar companies in such a way that would protect Iron County. Dale noted that because of the generous tax incentives being sought by the solar companies, Iron County has a significant amount of leverage to be able to craft the contracts favorably.

Dale Brinkerhoff instructed Reed Erickson and Danny Stewart to be very clear with the solar companies desiring to locate in Iron County that it is imperative that local contractors be used as much as possible during site development. Dale expressed that because of the generous tax incentives being sought and granted, local contractors should be given preference as much as possible. Cindy Bulloch also made a request that when the tax incentives are requested, the solar companies provide a copy of their power purchase agreements with the utility companies, a copy of any applications for federal tax incentives, and any other tax incentives that have been granted. Cindy noted that a copy of these documents would help her properly value the solar projects. Reed Erickson explained that sometimes the power purchase agreements are not in place when the projects are being developed so they might be unavailable at the time of application.

Alma Adams stated that he hoped that the contract with Scatec, granting a 70% tax incentive did not set a precedent that Iron County would be held to for all future solar projects. Alma noted that the price of the photovoltaic panels had fallen precipitously and that a discussion regarding future incentives would be appropriate. Alma Adams noted that Scatec had an original estimate of \$500 million for construction and they were now estimating \$150 million for construction. Cindy Bulloch noted that other counties were not offering tax incentives to solar companies. Dale Brinkerhoff noted that even without local subsidies, the solar companies would still be receiving state and federal subsidies.

FRONTIER HOMESTEAD STATE PARK STATUS UPDATE

Todd Prince, Manager of the Frontier Homestead State Park reported on the calendar of events scheduled for the year. Todd noted that the next major event would be the "Sheep to Shawl" event planned for March 28th, which provides a hands on learning experience, teaching how wool goes from the sheep to a sweater. He also mentioned Archaeology Day, Groovefest, Haunted Homestead, the Livestock and Heritage Festival, Iron Mission Days, and Christmas at the Homestead. Todd mentioned that Christmas at the Homestead was expanded to an entire week in 2014, and that almost 2000 people participated. He noted that for 2015, the Stonehaven Events Center wanted to partner with the Frontier Homestead State Park, and put on a "Twelve Days of Christmas," event, starting in November. Todd reported that between 3000 and 5000 children participate in Christmas at the Homestead.

Dale Brinkerhoff noted a 10% increase on visitation on Todd Prince's handout, and asked to what Todd attributed the increase. Todd replied that there were many factors including marketing, social media efforts, their website, the addition of a caboose and iron ore shovel along the main frontage, as well as an improvement in the local economy.

Todd Prince reported that the 2014 revenues were up 8%. Dale Brinkerhoff asked whether the increase in revenues had reduced the risk of the Frontier Homestead State Park being closed. Todd replied that he did not think the facility would be closed.

Todd Prince then reported on projects slated for 2015. The first project Todd reported on was a Native Heritage Exhibit that included a Paiute camp and a mock excavation of a replica Fremont Indian pit house, indicative of what may have been in place in Iron County prehistorically. Todd noted that there were multiple funding sources for the Native Heritage Exhibit including Cedar City RAP tax, as well as Southern Utah University matching \$12,000.

Todd Prince then reported that the other major project scheduled for 2015 was the completion of the back side of the Hunter house, along with improvements to the grounds. He noted that the Hunter house project also had multiple funding sources. The Frontier Homestead State Park had set aside \$12,000, the Utah Parks and Recreation department had committed \$10,000, and they were in the process of applying for a \$15,000 grant. Todd explained that if the Hunter house were completed, they would be able to open it up to local events such as weddings, receptions, scout events, and the like.

Todd Prince explained that he was in negotiations with Leon Matheson to acquire some of the Matheson family artifacts, such as historic guns that belonged to his father Alva, over 150 historic gas engines, items from his blacksmith and tinsmith collection, as well as historical books. Todd noted that many of these items had previously been part of the Frontier Homestead State Park, and that Leon Matheson had suggested that they be displayed once more.

Other projects the Todd Prince mentioned were cell phone audio tours, filming of the movie "Back Up the Mountain," and Brand USA filming into multiple languages to increase awareness of the Frontier Homestead State Park.

PERSONNEL MATTERS

Michael Edwards represented Leslie Bishop, who was excused. Michael requested the transfer of Shawn Coston from Corrections to Bailiff. Michael explained that this transfer was necessitated due to the resignation of Doug Seirup. Michael Edwards requested approval for a new hire, Beau Johnson as a Corrections Deputy. This was a backfill of a vacant position. Alma Adams made a motion to approve the transfer of Shawn Coston from Corrections to Bailiff, also to approve the hire of Beau Johnson as a Corrections Deputy. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Michael Edwards requested the advancement of Courtney Sullivan from EMT to AEMT. Michael Edwards also requested the advancement of Katie Batchelor from EMT to AEMT. Alma Adams made a motion to approve the advancement of Courtney Sullivan and Katie Batchelor from EMT to AEMT. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Michael Edwards requested approval of a new hire, Kenzie Lundberg as Communication Specialist. This was a backfill vacancy. Alma Adams made a motion to approve the new hire Kenzie Lundberg as communication Specialist. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Michael Edwards requested approval of a rate change for Shawn Slaugh. Alma Adams noted that he had not discussed this rate change with Neil Forsyth the Iron County Roads Supervisor, therefore he made a motion to postpone the rate change for Shawn Slaugh, pending discussion with Neil Forsyth. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.


PRAIRIE DOG MATTERS

Alma noted that he had enjoyed all the positive news regarding prairie dogs lately. Dale Brinkerhoff mentioned a property owner in Enoch who was hoping to clear the property of prairie dogs, and had been approved. Cindy Bulloch noted that they had permission to clear one lot per month.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

March 9, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 9th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Officer not in attendance:

Alma A. Adams	Commissioner (excused)
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Also present:

Mark W. Gower	County Sherrif
H. Eugene Adams	County Auditor
Cindy W. Bulloch	County Assessor
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Mike Phillips.

INVOCATION

An invocation was offered by Jon Whittaker.

DEPARTMENTAL REPORTS

Maria Twitchell, Tourism and Parks and Recreation Director, reported that Tourism exceeded their goal of \$1 million in 2014, reflecting a 9% increase in their collections. Maria reported that their efforts resulted in increased skier-days, and hotel stays. Brian Head had reported a 3% increase in occupancy. Maria noted that group tours and the “Mighty Five,” or regional national parks, continue to bring interest to the area. She pointed out that Iron County benefits greatly as a “spillover area,” for the “Mighty Five” campaign. Maria also reported that they were scheduled to make a marketing trip to Canada later that year. She noted that Canada represents the largest foreign market for Iron County tourism, with roughly one out of 10 foreign tourists being Canadian. Maria reported that Brand USA, a nationwide marketing effort, was filming to produce materials specifically for the Chinese population. She noted that these videos would be in the Chinese language. Maria reported on Tourism initiatives, outlining priorities for the next 10 years. Maria identified night sky, trail development, community access & signage as priorities.

Maria Twitchell reported that their new hire, Kenzie Lundberg had brought a whole new perspective to their staff. Kenzie is in charge of communications, social media and public relations. Maria expressed excitement at having Kenzie aboard.

David Miller asked Maria Twitchell for an update on the Trails Initiative. Maria Twitchell reported that progress had been made, especially in regard to Off-Highway Vehicles (OHV). Maria explained that there are many facets to improving OHV trails including federal agencies, Iron County IT, GIS specialists, and of course the end-users of OHV trails. She noted that the different agencies and individuals involved were working on identifying the main trails and loops that are to be in the OHV trail network. Maria explained that after identifying the main trails, the next step would be establishing trailheads and placing kiosks. Maria reported that other outdoor initiatives included mountain bike trails and the development of disc golf.

Maria Twitchell then reported on outdoor recreation. She began by describing several complaints that had been received regarding the shooting range. She noted that some users had not been observing cease-fire safety. The reports were that people were shooting even though other people were downrange. Maria reported that they had ordered signs that reiterate the rules for shooting range safety, but asked the commission whether citable fines should be implemented. She noted that several groups had expressed desire to meet with Iron County officials to discuss ideas and possible direction to provide a better shooting range that is safe. She asked whether the commissioners would be willing to meet with those individuals. David Miller said that would be a good idea and that Sheriff Gower should be invited as well. Maria Twitchell then explained that there were grants available to improve the shooting range but that private clubs needed to apply for them, which would make including the local groups all the more important.

Maria Twitchell described a new competition disc golf course being constructed on BLM property adjacent to the Three Peaks Recreation Area. Maria explained that Iron County had been requested to install disc golf baskets on Iron County property. She explained that the baskets cost about \$300 each. Maria noted that disc golf is a growing sport that is inexpensive and low-impact, and would be another addition to the recreational aspect of the Three Peaks Recreation Area.

Ken Richards, GIS specialist, reported on behalf of the Information Technology (IT) department. Ken noted that he had been participating with Maria Twitchell and others in support of the OHV aspect of the Trails Initiative. He explained that they were in the process of collecting data to be included on the trails map, and that the Forest Service and Bureau of Land Management (BLM) had been conducting studies. Ken then reported that he had recently updated the Iron County Addressing map.

David Miller expressed that he was glad to see the rollout of the new version of the Iron County website (www.ironcounty.net). David expressed that the site looked good and was an improvement. He requested that those involved make County ordinances more readily accessible on the Iron County website.

Mark Gower, Iron County Sheriff, reported that later in the month the Sheriff's department would be taking possession of the new patrol vehicles purchased for 2015. Sheriff Gower reported that each of the detectives had caseload of about 18 cases each. He reported that the patrol division had pulled 600 cases so far in 2015. This was in line with 2014. Sheriff Gower reported that on the patrol side, his department was at full staff. He noted that he might be making some reassignments in order to provide a resident deputy for the west desert area.

Sheriff Gower explained that, in regard to training, another group of employees had finished Emergency Medical Response (EMR) training. He explained that with this most recent group, about 90% of Sheriff Department staff had completed EMR training. Sheriff Gower noted that with EMR training deputies, who typically arrived first on scene, would be able to provide emergency assistance until more advanced care arrives.

Sheriff Gower reported that they had retired the K-9 officer Duke, whose handler was Sergeant Malcolm. He reported that a new K-9 officer, Heinz, had just come online. Sheriff Gower noted that Deputy Peterson is the handler for Heinz, who had recently completed his first phase of narcotics training, making them certified to do narcotics work in Iron County.

Sheriff Gower explained that the Sheriff's department was gearing up for the summer tourist season. He noted that with the influx of tourists the Sheriff's Department workload increases. Sheriff Gower expressed gratitude for the Volunteers in Police Service (VIPS) program.

Sheriff Gower reported that overall, most types of crime within the county had remained about the same. He noted that the drug task force was an exception with a marked increase in drug-related crimes. Sheriff Gower reported that in 2013 the drug task force made 68 felony drug arrests. In 2014 that number jumped to 145, an increase of 47%.

Sheriff Gower expressed that he felt that the VIPS program was an ongoing success. In particular, he expressed gratitude at those VIPS volunteers that were able to help patrol, but were also willing and able to perform repairs on vehicles, thereby saving Iron County a significant amount of money. Specifically, Sheriff Gower recognized Bill Summers. Dale Brinkerhoff expressed a desire to participate in recognizing those VIPS volunteers.

Sheriff Gower then expressed gratitude for those individuals that volunteer with the Iron County Search and Rescue program. He noted that they sacrifice a great deal of time to train, prepare, and ultimately help finding rescue individuals when called upon. Sheriff Gower noted that Iron County Search and Rescue volunteers perform a vital service.

Dale Brinkerhoff reported that the planned Public Safety Building had been relocated from the front or West side of the jail building, to the East or rear of the jail building, between the sheriff's impound and the ambulance garage. Dale reported that he had discussed both the impound yard and a storage area with Sheriff Gower. He then questioned whether the communications tower associated with the ambulance building would need to be moved. Linda Petty, Manager of the Cedar Communications Center, explained that the tower would indeed need to be relocated, owing to the need to have the tower within 300 feet of the communications center.

APPROVAL OF MINUTES

After noting several corrections, David Miller made a motion to approve the minutes of the January 26, 2015 Iron County Commission Meeting subject to the noted

corrections. Second by Dale Brinkerhoff. Voting: David Miller, Aye; Dale Brinkerhoff, Aye.

NON-DELEGATED ITEMS

David Miller, Iron County Commissioner reported that many solar projects are either planned or in progress in Iron County. David explained that these projects will bring a tremendous amount of energy production, as well as an increase to the tax base. He noted that there are plans for an additional 500 MW of solar power in Iron County.

David Miller reiterated the progress made in terms of trails, and their effect on tourism. He noted improvements in many types of trails including OHV, mountain bike and snowmobile trails. David reported on an interactive electronic map in progress that will be located on the Iron County website (www.ironcounty.net). He expressed hope that these improvements will give tourists a reason to visit, and spend money in Iron County.

David Miller reported on his recent trip to the National Association of Counties (NACO) legislative conference, in Washington DC. David reported that he was able to visit with each of the lawmakers representing Utah. He expressed the critical nature of Payment in Lieu of Taxes (PILT) monies to Iron County's budget. David reported that the PILT was approved by Congress. He explained that there was a caveat, in that the PILT monies were tied to Secure Rural Schools (SRS) funding. In a worst-case scenario Iron County could lose 40% of the \$3.1 million annually received through PILT funding.

David Miller reported on new rules from the Environmental Protection Agency (EPA), entitled, "Waters of the US." David explained that these rules are extremely strict and affect how water is used or redirected. He reported that there had been some success in challenging the new rules.

David Miller reported that the three forests in our region (the Dixie, the Fishlake, and the Manti-LaSal) had been working with Non-governmental organizations (NGOs) outside of the regular processes to create an Environmental Impact Statement (EIS), that would effectively shut down the grazing industry. David reported that regional county commissioners were able to find out about the unusual and unbiased process, as well as the NGO involvement. After filing several Freedom of Information Act (FOIA) requests, they were able to ascertain the biased intentions of the EIS. David reported that he was able to meet with the national head of the US Forest Service, Tom Tidwell while on his trip to Washington DC and the NACO conference, and that the three forest review and the EIS were to be restarted in a less biased manner.

David Miller then reported on some of the legislative activity that had been going on. He noted that the State of Utah anticipates being short \$13 billion over 25 years for road maintenance. Because of this, the legislature had been in discussions to increase the gasoline tax. David Miller described several proposals being put forth, the first was from Senator Van Tassell who recommends an additional 6 cents per gallon increase in the gas tax for gasoline, increasing to a total of 9 cents per gallon total increase over four years. For diesel fuel, Senator Van Tassell's proposal is an additional 2 cents per gallon, increasing to a total of 6 cents per gallon increase over four years. Another proposal put forth recommends a 10% sales tax on gasoline. This proposal by Representative Anderson seeks to increase revenue through a fixed percentage. David Miller noted that given the currently low gas prices, Representative Anderson's proposal would actually be a tax decrease. David then explained that if gas prices were to increase greatly, this proposal would greatly increase the fuel taxes paid in Utah. Another feature of representative Anderson's proposal would be a local option sales tax, which would increase the sales tax on everything sold in smaller counties. This would be a tax instituted by local counties and cities to help fund smaller, non-primary road maintenance. Were this to be implemented it would represent a 2.5% increase in the local sales tax, with 1% going to towns and cities and 1.5% going to counties.

David Miller then reported on a bil. being put forth by Representative Christopherson regarding the catastrophic fire conditions that exist. David explained that

under a “Nuisance Abatement Request,” local entities would be able to detail their concern and give notice of the need to abate fire conditions causing health and/or safety concerns. The bill would allow for local remediation if federal authorities fail to act. The bill would provide an opportunity to mitigate threats before any damage occurs.

David Miller also reported on various legislative activities including bolstering the Natural Resource Plan, approval of the Wildlife Board, and appropriations for the Utah Summer Games.

PUBLIC COMMENTS

No public comments were offered.

MOTION TO REDIRECT THE INCREASE BUDGETED FOR ADMINISTRATION SALARY TOWARD OTHER COUNTY NEEDS

David Miller explained that during the previous budget cycle salary increases were apportioned for the Iron County Commissioners. David explained further that those budgeted salary increases were never implemented. David Miller made a motion to redirect the budgeted monies that would have gone toward a salary increase for the Iron County Commissioners toward other County needs. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

PUBLIC HEARING REGARDING THE SALE OF REAL PROPERTY

Dale Brinkerhoff explained that 3 companies had made offers to purchase the Iron County Ambulance assets; Color Country Ambulance, Gold Cross, and Classic Air Medical. Dale explained further that they had received responses from two of those companies; Color Country Ambulance and Gold Cross. Dale Brinkerhoff explained that the commissioners had carefully considered the economics, liability, and level of service involved in the privatization of ambulance services. Dale explained that it had been an emotional process and that the commissioners were anxious to receive assurances that existing Iron County Ambulance personnel would have the opportunity to continue serving emergency medical services. At that point, the public hearing was opened for public comments.

Dan Nagy, a Cedar City resident, expressed that he was against the sale of Iron County Ambulance assets. Dan explained that when you dial 911, you expect emergency personnel to show up. Dan explained further that the Sheriff’s Department was not a moneymaking enterprise, nor was it expected to be. He questioned why the Sheriff’s department was supported with taxes with no expectation of gaining a profit or even breaking even, while the Iron County Ambulance was an enterprise fund and therefore was expected to be self-sustaining. Dan elaborated, noting that every department in Iron County operates at a loss and is only sustained through taxes. He expressed that a private ambulance service operating in Iron County would, of necessity, need to cut back services in order to break even financially. Dan concluded by saying his idea would be to leave the service the way it is, explaining that is the reason we pay taxes.

Bob Whitelaw, a resident of Parowan, explained that he had been trained as an EMT in 1995, but after responding to one accident he realized emergency medical services was not for him. Bob expressed gratitude to all of the EMTs assembled that day for their service to the community. He explained that he had family members spread throughout Iron County and that he operated a business in Brian Head that serviced hundreds if not thousands of guests. Bob expressed that he was against the sale of Iron County Ambulance assets. He continued, saying that the health, welfare, and safety of the citizens of Iron County should come first. Bob explained that he had many friends in Parowan who were concerned about response times and level of care they would receive from a privatized ambulance service. Bob Whitelaw concluded by reiterating that his family was well represented in Iron County, and that he felt the sale of Iron County

Ambulance assets was a mistake. He expressed that as a taxpayer he would be happy to pay a little extra to support the Iron County Ambulance service.

Evan Ludwig, a resident of Cedar City, expressed that his desire was for Iron County to divest itself of the ambulance service. Evan recalled that there were days when television service was government-sponsored. Evan expressed that he did not believe that anyone would die due to the sale of Iron County Ambulance assets. He explained that he had witnessed various examples of privatization that were successful. Evan expressed that the ire directed at the Iron County Commissioners would be better spent on the federal government and Medicare. He explained that Medicare's billing reduces the amount billed and the actual remittance ends up being even smaller, thus causing shortfalls like the one plaguing the Iron County Ambulance department. Evan expressed that the Iron County Ambulance department boosts the resume of the Sheriff. He addressed those assembled and said he was sympathetic to them losing their job, but that life marches on. Evan expressed the need for emergency medical services to become financially viable. Evan encouraged the Iron County Commissioners to not let their job be the determining factor in their vote and to fight against big government.

Thomas Cluff, representing the Beryl Fire Department, thanked the Iron County Commissioners for the concern they had shown to western Iron County. Thomas explained that there were two EMTs that lived in the Beryl area, and although he was not an EMT he personally responded to about 80% of the calls received. He expressed that the Beryl emergency medical services were severely understaffed, and that people have indeed suffered due to understaffing. Thomas explained that there have been times when no crew was available, and response times were unnecessarily long. He explained that generally the Beryl Fire Department was against the sale of Iron County Ambulance assets. Thomas explained that their main objection was the process by which the decision to sell the Iron County Ambulance assets was reached. He then posed 2 questions. The first had to do with billing. Thomas noted that Gold Cross has been doing the ambulance billing for years. His question on behalf of the Beryl Fire Department, was how is it not a conflict of interest for Gold Cross to bid on the Iron County Ambulance assets when it has been doing the billing for years. He then noted that the Iron County Ambulance, with Gold Cross doing the billing was only collecting 48.7% of the total charged. The second question Thomas Cluff asked was how would a private company be able to turn a profit without diminishing services to the outlying areas. Thomas noted that in a prior meeting the representatives from Gold Cross had committed to not taking away the ambulance dedicated to the Beryl/New Castle area. Further, Thomas explained that the local residents had done the legwork to get that grant and they were very concerned that with the privatization of ambulance services they would be at risk of losing that valuable asset. Thomas concluded that he contributes to emergency medical services not for the pay but for his neighbors, and he could see no way for the service to be able to continue under a private company.

Blaine Nay, a resident of Cedar City, expressed that there seemed to be a prevailing sentiment that important things need to be done by government or that private businesses could not be trusted to do important things. Blaine explained that if a person serves as an EMT for government that person's service won't be any worse if he serves as an EMT for a private business. He noted that the requirements to serve in emergency medical services are the same for both government and private. Blaine expressed that he could not see how the service would be diminished through privatization. He said he was in favor of selling the Iron County Ambulance assets.

Clay Allred, expressed that the ambulance service deals with peoples' lives. Clay explained that, in his service, he is seen multiple calls at once. He expressed the concern that by reducing the number of ambulances from 4 to 2, someone would eventually die. Clay mentioned the gloom and doom spoken of in St. George, and said it was very real. He said he knew city council members in St. George who were still trying to get rid of the privatized ambulance service. Clay also expressed concern that while a

contract can be written with strong language, once Iron County signs over control to a third party they no longer have control over the ambulance service. Clay counseled those present not to confuse what's going on in the federal government with local services that enhance quality of life. He expressed gratitude that the Iron County Commission voted to forgo their raises in light of tight budgets. Clay Allred concluded by stating he was against the sale of the Iron County Ambulance assets.

Wendell Shallenberger spoke in support of selling the Iron County Ambulance assets. Wendell explained that although some present had said taxes were paying for Iron County Ambulance Services, he felt that was not true. He explained that the Iron County Ambulance Department was an enterprise fund and therefore responsible to be self-sustaining. He explained that the Ambulance Department had been losing money and that the money needed to be repaid. Wendell concluded by saying that the tax monies used to keep the Iron County Ambulance Department solvent was essentially a loan.

Harsh Kansagra, an advanced EMT student at SUU, stated that everyone seemed to be in agreement that emergency medical services is for saving lives. Harsh stated that everyone also seemed to be an agreement that the best service was being provided. He stated that the problem seemed to be a \$2 million debt, that as he understood it was accrued over a period of 10 to 15 years, with two of those years falling under the control of Sheriff Gower. Harsh expressed that two years to improve the budget was simply not enough time. He expressed further that if the service were subpar it would be more understandable. Harsh stated he thought that they were working on the budget shortfalls. One example that he gave was an ambulance purchased in Las Vegas that they were able to acquire for half the expected cost due to diligent price comparison. Harsh posed the question, why change a good thing for a potential risk? He concluded by stating that he was against the sale of the Iron County Ambulance Department.

Don Young stated that much had been said by the commissioners and by ambulance personnel but that he was speaking on behalf of the taxpayers. Don reflected on a letter from the Utah State auditor's office that stated that unlike private accounting which measures profitability, enterprise funds in government, which is what the ambulance service is, aim to measure accountability. Don continued noting that the ambulance service was \$2.1 million in debt and climbing. He expressed that state statutes and accounting principles had not been followed, and independent audits showing cost overruns and violations have not been acted upon for over 10 years. Don stated that Sheriff Gower had expressed that he would not save a dollar if it impacts public safety. Don questioned whose dollars Sheriff Gower was referring to. His? Or the taxpayers? He explained that the deficit for 2013 and 2014 combined was \$687,000. Don noted that the commissioners had given the mayors an opportunity to retire the debt incurred in the ambulance department. He explained that the mayors unanimously rejected that offer, explaining that they were willing to help fund the surface moving forward, but not pay for the accrued debt. Don continued by expressing how troubling he found that the mayors and the Sheriff's Department had resorted to fear mongering. Don reported that the Bureau of Emergency Medical Services has stated that privatization does not affect the level of service whatsoever. He explained that in Utah's 29 counties there are 193 emergency medical services providers. Referring to some of the negative comments made about Washington County's privatized services, Don explained that there were 17 licensed emergency medical service providers in Washington County, of which only two were Gold Cross, the disparaged provider. He expressed that the common solution in local government was to raise taxes, "just a little." Don expressed further, that the problem was not a lack of revenue but a lack of accountability. He suggested that the elected officials reflect on what had happened in Enoch, referring to the rejection of a tax increase referendum. He concluded by stating that he supported the privatization of Iron County Ambulance Department, not because of poor service but because the managers have mismanaged the service at the taxpayers' expense.

Scott Holyoak, a resident of Parowan, thanked the commissioners for the opportunity to speak. He stated that in government, the apparent policy was to have less work and more people to do it. He also stated that he was for free enterprise, free from government interference. Scott reflected that in 1972 the hospital was owned by the County but that the decision was made to sell it to Intermountain Healthcare. He said there didn't seem to be any complaints about that privatization. Scott concluded by stating that he was in favor of privatizing the Iron County Ambulance assets.

Ethan Bunker stated that he was a concerned citizen. Ethan explained that in 1991 he became an EMT. He noted that, in his opinion, the service was mismanaged then and that mismanagement had continued for years. He expressed that he was in favor of privatization of the Iron County Ambulance service. Ethan gave three reasons for his opinion. First, there has not been the fiscal responsibility or accountability. Second, the level of care is not as good as it should be. Third, we need to address not only the current need for emergency medical services, but to ensure that those services will exist in the future. He explained that he had gone on to receive a nursing degree, and that he had worked in various emergency rooms in Utah. Ethan noted that while working in the emergency room in St. George, some were pleased with Gold Cross, but not all. He also explained that he had worked in an emergency room in the Salt Lake City area, and that Gold Cross had performed well by his estimate. Ethan expressed that the level of care had increased primarily because of increased accountability. Ethan concluded by addressing the topic of various marital infidelities that had occurred in and around the Iron County Ambulance department. He noted that they had just lost an emergency room physician because of what had been happening. Ethan expressed that they might be wrecking more families than they are saving, and that personnel needed to put their lives in order.

Heather Abbott stated that she was against selling the Iron County Ambulance assets. Heather explained that she had attended the meeting where her city had discussed paying for the ambulance service and its debt. She stated that the mayors were in favor of helping to supplement the service, but not to pay for the accrued debt. Heather explained that the reason was that the taxpayers had already paid that debt by way of their property taxes. She noted that the monies spent to keep the ambulance service solvent came from the general fund, which is supported by the taxpayers. Essentially, by paying back the accrued debt, the taxpayers would be paying for it twice. Heather noted that for many of the EMTs, the issue of privatization was not about keeping or losing their jobs, but about maintaining the quality of service. She noted that for ambulance personnel to hire on with Gold Cross, due to insurance and other costs, the full-time EMTs would essentially receive a pay cut. Heather noted that this would induce a trade-off, lowering the quality of personnel. She concluded by saying that her primary concern was that the quality of care would decrease due to the loss of experienced personnel.

Deputy Doug Twitchell, of the Utah Highway Patrol reflected on what a privilege it is to be able to offer public comments at a hearing like this. He noted that he had been a highway patrolman for 35 years, and that as he was waiting for a tow truck to come in his cruiser on I-15 the previous Monday, he listened to the radio. Deputy Twitchell noted that in that 20 minute time period, there were four ambulance calls, each one a Delta or critical response. He explained that he contemplated what would happen if there were four ambulances for all of Iron County, what would that dispatcher have to say to the next person that called 911? Deputy Twitchell then described hearing on the radio that to use the argument, "What if it's your family?" is really a scare tactic. He mentioned that waiting too long for emergency medical services would be a reality for someone. Deputy Twitchell reported that in his career he had performed CPR six times. He explained that it was the most physically and emotionally demanding thing that he had ever done. He described performing CPR for 13 minutes while waiting for emergency medical services. Deputy Twitchell stated that his greatest concern was whether or not we are giving you enough time. He asked whether the cities and councils could solve this, and whether was really necessary to take this action right now.

Helena Mortensen, a resident of Parowan, relayed a story about the previous weekend and her elderly parents. Because of the weather, the power had gone out in Escalante. Helena's sister works for the ambulance department there and was unable to help their parents. Helena's father requires oxygen, and the local fire department actually knocked on their door and set up a generator so that he could have oxygen. She lamented that, in Iron County, we were not as unified in our emergency medical services. Helena stated that the commissioners needed to consider those people that lived further away from Cedar City, and that having to wait for service would not be acceptable for those people. Helena concluded by pleading with the commissioners to think about the residents that live outside of the population centers.

Linda Petty, manager of the Cedar Communications Center, stated that she had no opinion as to whether or not Iron County privatized its ambulance service. Linda relayed a concern that had been expressed by her dispatchers about the plan Gold Cross had put forth. Specifically, that Gold Cross had committed to maintain two ambulances in Cedar City and one in Parowan. Linda related that in the past two weeks there had been several circumstances where three and four ambulances were called out, with a 20 minute wait. Furthermore, she noted that there are times when the ambulances are busy transporting a patient, therefore reducing the ambulance fleet would have the potential to increase response times. Linda concluded by relaying the question her dispatchers had posed which was, what would they tell the citizens when they are out of ambulances.

Brandon Franta, a resident of Cedar City, stated that he was for the free market. Brandon noted that the privatization of the Iron County ambulance service is simply trading one monopoly for another. He explained that currently we have a monopoly but that we can appeal to our elected officials whereas if the service were sold we wouldn't have any say in the affairs of a private business. Brandon concluded by expressing that we should be fixing the problem not abandoning it.

Jay Hunt, a resident of Enoch, saluted the commissioners for looking out for the taxpayers. He expressed his appreciation for the commissioners efforts in this regard. Jay noted that he had some health problems and the provider insisted on transporting him, but he refused. Jay concluded by stating that there are times when the ambulance service is an overpriced taxi service.

With no more public comments offered, Dale Brinkerhoff, Iron County Commission Chair declared the public hearing closed. Dale thanked everyone for their thoughtful comments and efforts. The Chair then reviewed the options that had been discussed and reviewed by the Iron County Commissioners and the Mayors. The first was to create a 9 member board that would oversee the Iron County Ambulance Department through October. Dale noted that the governing board would be composed of 9 members; 6 would be representatives of the each municipality in Iron County, 1 would represent the unincorporated areas, 1 would represent the medical community and the final board member would represent the county as a whole. The board would oversee the Iron County Ambulance and choose a new director. After October, the books would be closed, and, allowing for the lag in federal payments, the municipalities would be billed for the difference between revenues and expenses.

Dale Brinkerhoff emphasized that the Iron County Commission did not state that the cities would have to repay the ambulance debt, rather the requirement was that Iron County would have to be made whole regarding the deficit between revenue and expense. The plan was to apportion the expense either on a per capita basis or on a per run basis. This would have allowed the cities to budget for the additional expense of supporting the ambulance service. Dale noted that all of the cities and towns in Iron County with the exception of Kanarraville rejected this proposal. He noted that in 2014 the ambulance deficit was \$361,504. Dale stated that, as the Iron County Commission, the commissioners have a fiduciary responsibility to maintain an enterprise fund which means that the expenses cannot exceed the revenues. Dale reiterated that the Iron County

Commission had required only that the towns and cities make the County whole in this regard.

Dale Brinkerhoff then described the second option that had been discussed which would have been to abandon the county ambulance service in favor of a municipal ambulance service, much like Washington County. Dale noted that the third option was to privatize the now governmental, county administered ambulance service. He emphasized that the ongoing budget shortfall and growing deficit were the driving forces behind the impetus to do something different with the Iron County Ambulance Department.

David Miller then read a statement written by Commissioner Alma Adams who was absent due to his attendance at a risk pool conference as part of his duties as commissioner. The first part was the same statement that Alma himself had read during the February 23rd Iron County Commission meeting. David Miller then read a new statement written by Commissioner Alma Adams for this the March 9th meeting. In those comments, Alma Adams declared that his vote was for the sale of the ambulance assets to one company who will continue to provide emergency medical services to Iron County. Further, Alma declared that his choice of bidder was Gold Cross Ambulance. He stated that Gold Cross had been very professional in their presentations and that he felt they had the resources, infrastructure, personnel, and organizational structure necessary to provide a high quality of emergency medical services to the people of Iron County. Furthermore, Alma noted that Gold Cross had been in business for 47 years and had been honored by Sandy City as business partner of the year in 2014 for exceeding expectations of service. He then noted that Uintah County is in a similar situation to Iron County, in that they have many citizens living in outlying areas and that Gold Cross provides their ambulance service. Alma explained that he had visited with Mark Raymond and Mike McKee, Uintah County commissioners, who stated that they had been served very well by Gold Cross. He had also spoken with a private citizen of Uintah County who spoke positively of Gold Cross. Alma also stated that he had spoken with Guy Dansie, Bureau of Emergency Medical Services Program Manager for the State of Utah, who told Alma that Gold Cross was managed by professional people, people who were innovators who possessed the highest skill sets in the state. In particular Mr. Dansie expressed that Gold Cross excelled at handling newborn and premature birth situations. Furthermore, he told Alma that Gold Cross provided very high quality service and performed quality assurance reviews, and that they were the largest ambulance provider in the State of Utah.

In his written statement, Alma explained that he found the Gold Cross Ambulance offer to be straightforward, comprehensive, and clearly stated. Gold Cross had offered to pay the greater of the appraised value of the two ambulance buildings, or the bank appraised value at the time of purchase. Gold Cross had also provided a purchase price of the best estimate of the physical assets. Alma noted that he was impressed with the principals of Color Country Ambulance and that they appeared to have a great knowledge of ambulance services. However, Alma felt that they did not have the existing organizational structure or past experience with operations for him to choose them. In conclusion, Alma stated that he felt that the Gold Cross offer was the most comprehensive and best offer received to purchase the Iron County Ambulance assets. This concluded the written statement from Commissioner Alma Adams.

David Miller then spoke to several questions that had been raised during the public hearing. The first thing David spoke to was the question of a potential conflict of interest for Gold Cross to have been taking care of the billing for the Iron County Ambulance department and to now be in a position to purchase the Iron County Ambulance assets. He mentioned that about a year and a half ago, Iron County had considered moving the ambulance billing from Gold Cross back in house. David reported that after analysis, that plan was judged not to be advantageous. He reported that by providing the service of billing for the Iron County Ambulance department, Gold Cross in no way received any preference in the bidding process to purchase the ambulance

assets. David concluded that he did not feel that there was a conflict of interest in this regard.

David Miller addressed the questions regarding service to outlying areas. David mentioned that he and the other commissioners felt strongly that whomever were to purchase the ambulance assets and take over emergency medical services in Iron County, must maintain a high degree of service to those outlying areas. He noted that many questions have been asked regarding such service, and that it was the commissioners' desire that the ambulance that serves the Escalante Valley be maintained. David explained that the ambulance license is administered by the Utah State Bureau of Emergency Medical Services. He explained that, counties do not dictate the level of service, the state does.

On the question of monopolies, David Miller stated frankly that Iron County does, indeed have a monopoly on emergency medical services. David noted that if the service were privatized that would also be a monopoly, but it is that way by state statute. He noted that it was through extensive experience that the State of Utah set it up that way.

Regarding the timing of the sale, David Miller noted that the commissioners learned of the ambulance situation through an independent audit. Because the financial situation was dire, there was no luxury to "kick the can down the road." David noted that one requirement the commissioners demanded from the outset was that the service must be solvent. He noted that many municipalities are in bankruptcy and that he was opposed to government subsidies. David noted that he was in favor of fair taxation that provides essential services, but he made the point that if government doesn't have to be involved in a particular service that it should not be. He noted that there may have been some benefit to having a county run ambulance service, but that Iron County now found itself in a dire situation. David expressed his appreciation for those that serve in the Iron County Ambulance Department. He wanted those present to understand that the decision that would be made did not mean that the commissioners do not appreciate the service of the ambulance department employees, but rather it reflected a financially defunct enterprise. David then reviewed the three proposals discussed with the cities. The first being that the cities would contribute financially to any cost overruns and the ambulance department. The second was for the cities to take over the service. The third was privatization. David noted that the cities in Iron County rejected the first and second options which left privatization. He explained that his preference was Gold Cross.

David Miller made a motion to accept the proposal offered by Gold Cross, subject to finalizing negotiations regarding the sale of ambulance real property, also subject to working out transition details. Part of this motion was to state that this decision was made in the interests of the health, safety, and welfare of the people of Iron County, in particular in regard to relieving the debt burden. Second by Dale Brinkerhoff. Dale Brinkerhoff noted that although Commissioner Alma Adams' opinion was clear based on his written statement, they would only count the votes of the commissioners present. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION

David Miller made a motion to convene as the Iron County Board of Equalization. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

REVIEW SUBMITTED APPLICATIONS REQUESTING TAX EXEMPT STATUS FOR THE 2015 TAX YEAR

Christine Lowder presented the list of applications requesting continued and first time tax-exempt status for religious, charitable, or educational entities for the 2015 tax year. Various groups were discussed. Not all groups had submitted their application for tax exempt status. It was agreed that Christine Lowder would write a letter to those individuals reminding them of the need to apply. David Miller made a motion to approve

the applications that had been submitted for the 2015 tax year, with noted follow-up letters and exceptions. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

REVIEW VETERAN'S PROPERTY TAX ABATEMENT

The commissioners reviewed a property tax abatement for Jonathan B. Nobles, retroactive for tax year 2014. Christine explained that the Auditor's office granted Mr. Nobles the abatement as if he had applied in 2014. David Miller made a motion to retroactively grant the veteran's property tax abatement for Jonathan B. Nobles for tax year 2014 as explained. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

David Miller made a motion to Reconvene as the Iron County Commission. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

USDA PREDATOR CONTROL CONTRACT FOR FISCAL YEAR 2015

David Miller explained that the predator control program is ran by the State of Utah, and is used to mitigate excess coyotes that kill many mule deer fauns each year. David explained that the predator control contract provides a \$50.00 bounty for the taking of coyotes. He noted that the state hopes that those individuals that take coyotes do so in areas that will have the greatest benefit to the mule deer populations. Gene Adams, Iron County Auditor asked whether Iron County still administers that program. Jon Whittaker, Iron County Clerk, replied that the state now takes care of the bounties. David Miller made a motion to approve the predator control contract for fiscal year 2015, participating in the amount of \$11,500 annual contribution. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

UPPER LIMIT AVIATION LANDING OPPORTUNITIES IN IRON COUNTY

Scott Jolly, Community Relations and Business Director for Upper Limit Aviation, proposed that Upper Limit Aviation be allowed to lease 1.2 miles of County Road near Desert Mound. This is a roadway that has been out of use for many years and was associated with the iron mines in the past. Scott explained that this particular section of roadway is ideal because it follows prevailing winds. Scott explained that as the students increase, the Cedar City airport will no longer have sufficient capacity for their training. He also explained that granting this lease would help with noise abatement for populated areas. Scott explained that Upper Limit Aviation would pave both running strips and landing pads within the roadway for Upper Limit Aviation's use. He noted that the running strips and the landing pads would not impede vehicle traffic.

Scott Jolly noted that Upper Limit Aviation would bear the cost of construction and of signage. Scott explained that he had visited with Sheriff Gower regarding the Public Safety aspect of this proposal and that Sheriff Gower was in favor of it. Scott explained that the proposed lease would be \$2,500 annually and that Upper Limit Aviation would pay in advance. He noted that Upper Limit Aviation would bear the annual maintenance cost which was estimated at \$10,000 per year. There was some question as to whether Iron County actually owned the property in question. Dale Brinkerhoff asked Debbie Johnson, Iron County Recorder, whether she could clarify the ownership question. Debbie replied that she was unable to find any conclusive evidence that Iron County actually owned the property in question. David Miller made a motion to move the discussion to a later meeting subject to receiving more conclusive information regarding the property ownership. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

PROPOSED CHANGES TO THE WILDLAND-URBAN INTERFACE CODE

Ted Black, Chief Deputy Utah State Fire Marshal, presented proposed changes to the Wildland-Urban Interface Code. Ted explained that problems had arisen for smaller counties in Utah regarding the Urban Interface Code. After investigation the Utah State Fire Marshal’s office found that the problems were related not to the building code or fire code as much as they were with the Urban Interface Code.

Ted Black explained that the document he had prepared were proposed changes to Iron County’s Wildland-Urban Interface Ordinance. Ted explained that the proposed changes may make the code more usable for the citizens of Iron County. He noted that many changes had to do with how the code was referenced and didn’t change anything.

Ted Black then discussed some of the definitions in the Urban Interface Code. For example, Ted discussed the term “rancher line shack.” The state fire marshal’s office had discussed this at length and decided to use the same verbiage as a fruit shack. The question being at what point is a stop being a shack and become a cabin? Ted then discussed improving an existing shack. At what point does a shack become a cabin? Ted explained that an addition of no more than 25% of the original structure constitutes it remaining a shack. He also explained that approval for any construction would fall to the “authority having jurisdiction.”

Ted Black discussed what an approved road with in a Wildland-Urban Interface might be. He noted that an approved road would be any road that accommodates normal firefighting equipment. Ted explained that water supply was up to local jurisdictions. Ted explained that there were exceptions in the code for shacks. He explained that driveways were similar to approve roads, in that they simply needed to accommodate normal firefighting equipment. Ted explained that he had removed the wording, “all weather surface,” from fire apparatus access roads. He noted that an all weather road would not make sense if the road were under snow six months of the year. Ted explained that as long as the road met Iron County’s needs, then it could be an approved road. Finally, Ted said that if the road in question is a state or federal road, it is exempt.


Ted Black discussed what should constitute a Wildland-Urban Interface. He noted that areas where a wildfire would significantly impact watershed, the economy of the jurisdiction, or the natural beauty of the area would be severely impacted or destroyed by a wildfire should be considered for Wildland-Urban Interface. Also, areas in close proximity to national or state forests or other forested areas may also be considered as part of the Wildland-Urban Interface. Areas where fire is a regular part of the ecosystem, that burn almost annually, and areas were a fire would have little impact on the community, and would not impact the economy or the watershed should not be considered part of the Wildland-Urban Interface.

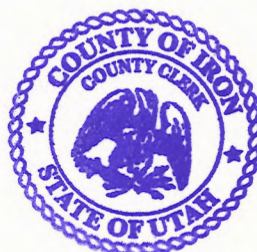
Ted Black explained that the law states that counties must have a Wildland-Urban Interface. Ted also noted that the rule states that counties should adopt a Wildland-Urban Interface. He concluded by noting that that gives the counties flexibility.

ADJOURNMENT

David Miller made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



SPECIAL IRON COUNTY COMMISSION MEETING

March 13, 2015

Minutes of the Iron County Commission meeting convened at 11:00 a.m. March 13th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma A. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Leslie Bishop	Human Resources Director
Gene Moffitt	Gold Cross Ambulance
Michael Moffitt	Gold Cross Ambulance
Todd Peterson	Gold Cross Ambulance

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Michael Moffitt.

INVOCATION

An invocation was offered by Gene Moffitt.

DISCUSSION OF TERMS OF SALE OF AMBULANCE REAL PROPERTY TO GOLD CROSS

Dale Brinkerhoff, Iron County Commission Chair, introduced the purpose of the Special Commission meeting, which was to discuss the sale of the real property of the Iron County ambulance department to Gold Cross Ambulance.


MOTION TO CLOSE MEETING TO DISCUSS SALE OF REAL PROPERTY


David Miller made a motion to close the Special Commission Meeting to discuss and strategize regarding the sale of real property for which the Iron County Commission had previously made public notice and held a public hearing. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye, David Miller, Aye.

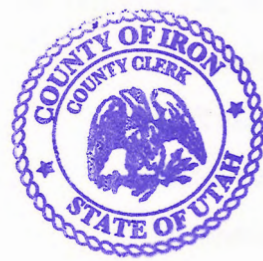
STATE OF UTAH)
) s.s.
COUNTY OF IRON)

I, Dale M. Brinkerhoff, Chairman of the Iron County, Utah Commission, hereby certify that the purpose of the closed session convened was conducted in accordance with UCA §52-4-205(d) for the purpose of discussing the sale of real property.

Dated this 13th Day of July, 2015.



Signed: Dale M. Brinkerhoff, Chairman



Attest: Jonathan T. Whittaker, County Clerk



MOTION TO ADJOURN CLOSED MEETING TO DISCUSS SALE OF REAL PROPERTY

David Miller made a motion to adjourn. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye, David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

March 23, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 23rd, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
Alma L. Adams	Commissioner (excused)
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Bruce Anderson.

DEPARTMENTAL REPORTS

Chad Nay, Iron County Building and Zoning Administrator, reported that he felt the area was on the road to economic recovery. To support this, he explained that his department had issued 39 more building permits in 2014 than in 2013. Chad explained that Iron County was slower to feel the effects of the recent recession than other places. Iron County did not fall as low as other places and it recovered more quickly. He attributed this remarkable fact to the local leadership in this area.

Chad Nay noted that his office was being inundated with building plans, another positive sign. Chad explained that there were many custom homes in the process of being built, and that the solar plants scheduled to be built would reflect a tremendous amount of positive growth.

Chad Nay recognized the agenda item regarding a fee waiver for Parowan City's new city offices. Chad stated that waiving fees for municipalities was a long standing practice, and expressed that he supported the fee waiver for Parowan City in the construction of their new city offices.

Chad Nay explained that there were 14 planned commercial photovoltaic solar projects. There were 8 projects over 50 megawatts (MW), and 6 smaller projects. Chad pointed out that if all of the projects were to come to fruition, they would cover 7,000 acres of land.

Chad Nay described the progress of making additional zoning options for A-20 and R-20 areas. Chad explained that there had been great interest in this from the public, with larger venues being necessary for Planning and Zoning Meetings due to public attendance and input.

Chad Nay then discussed with the Commissioners the location of the North end of the planned belt route around Cedar Valley. There was general consensus that the North end should be where it had historically been planned, which was the Summit exit. Alma Adams asked how far along in the process the belt route had progressed. Alma expressed concern over having to buy houses in order to secure property for the belt route. Chad Nay responded that the early planning that was taking place aimed to prevent such problems by establishing the right of way early.

Chad Nay reported that Mike Worthen and Reed Erickson were progressing toward developing a trail system in Iron County. This trail system would connect to the established Paiute Trail system. Chad reported that by having the additional traffic due to the integrated trails, establishing the RS-2477 rights of way would be benefited.

Chad Nay reported that his budgets were in check. Chad did express concern that due to the rapid growth taking place in Iron County, his office would require additional personnel, thus affecting the budget. However, he noted that the additional part time position for maintenance was the only need at the time.

Steve Platt, Iron County Engineer, reported that the bid opening for the crushing was successful. Gilbert Development Corporation was the winning bidder at \$4.21 per cubic yard. Steve also reported on Holt Canyon, RS-2477 roads, the Cedar Highlands Road, and the Dutch Cowboy Road.

Dale Brinkerhoff and David Miller then asked Steve Platt about the Virgin River Rim Trail. Specifically, about the combined efforts between Iron County and Kane County in restoring it from a non-motorized trail to wider, motorized trail. Steve Platt said he had not heard of it before, and would yield to Art Tait on the issue.

The SUU Mountain Center Road MOU, the Bowery Creek pavement, additional Right-of-Way for 5700 West, North of Highway 56 and Ken Richard's GIS contributions were all discussed.

Neil Forsyth, Roads Supervisor, reported that the Road Department was under budget thus far. Neil reported that upcoming impacts to the budget would be loader tires and engine replacement on the Grader. He explained that maintenance costs would be up due to a remodel of two restrooms. Neil explained that much of the remodel was done internally, saving expense.

Neil Forsyth reported that they would be working on 5700 West until early April, then move to the road base on Gentry Road. Neil explained that bids were being sent out for chip, chipping asphalt and hot mix asphalt for 2015. He noted that he was going to investigate the condition of the Summit Mountain Road to see if it could be done in April. Neil explained that, with the crushing, the Summit Mountain Road would take about 5 employees a week to complete.

Neil Forsyth stated that he was working with Ed Genouvis to procure additional pits around the county from which to draw road materials. Alma Adams noted the need to reduce haul distances.

Bruce Anderson, Landfill Supervisor, reported that the Landfill finished 2014 within budget. Bruce reported collection was positive, and budgets looked good for 2015.

Bruce Anderson explained that in terms of equipment, the haul truck repair was complete. However, the new garbage truck was down and the compactor needed a new rear end. Bruce anticipated that the compactor repair would be expensive.

Bruce Anderson reported that his yearend report reflected that 2014 saw a smaller volume than 2013. Municipal solid waste went from 40,126 tons in 2013 to 39,147 tons in 2014.

In conclusion, Bruce Anderson reported that the landfill was constructing a small transfer station just west of the scale house. Bruce reported that the expense would be minimal due to most of the work being done in house. This transfer station was envisioned to serve residential customers driving small cars or vans that might have a hard time navigating the pit.

DEPUTIZATION OF UPPER LIMIT AVIATION PILOTS

At the request of Sheriff Mark Gower, Jon Whittaker administered an oath of office as Iron County Special Sheriff Deputy to Michael Oliver Ballard, Scott Edward Banning, Richard Dean Cannon, Kent Isaac Daniels, Ryan Adam Dejong, Daniel Christopher Laguna, Eric Wayne Lenormand, Landon John William Lewis, James Douglas Kofford, Shae Mackie, Michael William Mower, Sean Reid, Gregory Richard Stine, and Chelsea Nicole Tugaw. Dale Brinkerhoff expressed gratitude to both Upper Limit Aviation as well as the pilots willing to serve. Dale noted the need to deputize these pilots in order for them to serve and to legally touch down. Scott Jolly, Community Relations and Business Development Director for Upper Limit Aviation, expressed gratitude at the opportunity and determination to serve Iron County. Lieutenant Del Schlosser of the Iron County Sheriff's Department, expressed his gratitude and noted that Upper Limit Aviation pilots had already saved a tremendous amount of man hours and money.

PUBLIC USE AGREEMENT BETWEEN IRON COUNTY AND UPPER LIMIT AVIATION

Dale Brinkerhoff explained that the public use agreement between Iron County and Upper Limit Aviation would be tabled until the next commission meeting in order for legal counsel to finalize the details of the agreement.

PUBLIC COMMENTS

No public comments were offered.

REQUEST FOR WAIVER OF BUILDING PERMIT FEES BY PAROWAN CITY

Mayor Don Landes explained that Parowan City was in the process of building new city offices. Mayor Landes noted that the demolition would occur on the parcel by the end of the month, and that he anticipated construction would be complete by fall. Mayor Landes then requested the commissioners waive the building permit fees for the new Parowan City offices as per tradition.

Chad Nay spoke in favor of granting the waiver of building permit fees. Chad explained some of the history of building inspection in Iron County especially regarding smaller cities. He noted that as requirements increased, some cities partnered with the county to provide those services. Chad expressed that because of the long-standing partnership between Parowan City and Iron County, he felt the waiver of building permit fees for Parowan city was proper.

Alma Adams noted that granting such a waiver was not without precedent. Alma Adams made a motion to waive the building permit fees for Parowan City, and that no portion of building inspection fees be paid to Parowan City because none would be collected. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ROCKY MOUNTAIN POWER COMMUNITY PERFORMANCE PLAN FOR 2015 AND GENERAL UPDATE

Tom Heaton, Customer and Community Manager for Rocky Mountain Power, presented the annual Community Performance Plan for 2015 to the commissioners.

Tom Heaton then noted that Rocky Mountain Power was happy to interact with all of the new renewable sources of energy being developed. Tom expressed that the majority of the power purchase agreements were with Rocky Mountain Power. He then reported on various issues and projects Rocky Mountain Power had been dealing with. Tom explained that Rocky Mountain Power was pleased with the improved continuity of power. Tom Heaton and the commissioners then discussed the progress of the Sigurd to Red Butte line, the influx of renewable projects and their effect on line capacity and power quality, the importance of maintaining base load capacity, and the continued preeminence of coal as a fuel source. They also discussed the increasing cost of regulations, noting that the majority of expense involved in installing a new transmission line is regulations, with less than half of the expense being construction costs. Finally, they discussed the need to coordinate during a power outage.

Alma Adams made a motion to support the annual Community Performance Plan for 2015 with Rocky Mountain Power, that Iron County is grateful for the high quality of power it receives, and that Iron County supports coal generation as well as other forms of electrical generation. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

NOTIFICATION OF CONDITIONAL USE PERMIT APPLICATION FOR THREE PEAKS SOLAR PLANT

Reed Erickson, Planner and Special Services Coordinator for Iron County, notified the commissioners of a conditional use permit application for Three Peaks Solar. This project is anticipated to be a photovoltaic solar power plant with an associated substation, a load shifting power storage station, and a utility service facility that includes transmission lines. Reed explained that the project will be located next to the Three Peaks area, and that it would lie East of Lund highway with the transmission line crossing the highway. He explained further that this would be the first project in Iron County with a storage component included as part of the project.

Alma Adams asked Reed Erickson how the Three Peaks Solar project compared to the Red Hills Renewable project. Reed Erickson replied that the Three Peaks Solar project was larger in scale, and would include a load shifting component. Reed explained

that the storage component of the project would allow the operator to retain some of the energy produced throughout the day and release it according to demand, even if the sun were down. He explained further that Three Peaks Solar would produce 120 megawatts (MW) of electricity and of that, 45 MW would be stored. Being able to store part of each day's production and release it strategically would allow the operator to better support peak demand, which typically occurs after the sun has gone down. Reed noted that the developer has not yet determined what type of storage will be used, and that additional review will be required. He explained that Iron County would wait until the developer decided which storage method they would pursue before scrutinizing the details of that aspect of the project.

Chad Nay, Iron County Building and Zoning Administrator, explained that if all of the solar projects were to come to fruition, they would be over 7,000 acres of solar panels in Iron County. Chad mentioned that he had been questioned about future decommissioning of all the solar projects. Chad expressed that he did not foresee decommissioning of the projects. He cited of the infrastructure expense the developers were investing, and that solar panels were likely to continue to improve. David Miller concurred, stating that even after 25 years solar panels were rated at 81%.

David Miller explained some of the reasons for providing tax incentives for solar projects. The first reason David noted was jobs. He explained that during the construction phase there would be many jobs. David also pointed out that dollars invested both directly and indirectly would stay in Iron County for the most part. He noted that it would be important to emphasize using local contractors effort to keep the indirect benefits of these projects in Iron County. Dale Brinkerhoff expressed that because of the incentives offered by Iron County, the commissioners and Iron County felt they have the prerogative to require the use of local contractors. David Miller expressed a strong request to use local contractors in the construction of projects.

REVIEW COOPERATIVE AGREEMENTS WITH PAROWAN, PARAGONAH, AND BRIAN HEAD REGARDING FIRE SERVICES

Ryan Riddle, Iron County Fire Warden, explained that the cooperative agreements with municipalities were to standardize and codify cooperative relationships between cities and Iron County. Ryan noted that the cooperative agreements, as written, and as per his discussion with David Miller earlier that morning needed some improvements.

David Miller made a motion to table the cooperative agreements with Parowan, Paragonah, and Brian Head regarding fire services until April 13th. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION

Dale Brinkerhoff, Iron County Commission Chair, declared the Iron County Board of Equalization open.

DISCUSSION AND DECISION FOR APPEAL OF ROLL BACK TAX FOR FMT TRUST AND THOMAS FEREE

Thomas Feree appealed the rollback tax assessed to A.P.N. D-605-4, because his property had been tied up in the courts for many years. Thomas stated that he was unable to use the property and that he desired that it stay in Greenbelt. He noted that the property would be used for Greenbelt purposes as soon as possible. Thomas expressed that it seemed unfair to value the property at \$100,000.

Dale Brinkerhoff asked Mr. Feree how long the property had not been used for Greenbelt. Thomas Feree replied that there had been no Greenbelt use since 2005, when the property began to be tied up in the courts. Thomas explained that he had sold the property and later had to foreclose but was counseled by his attorney to go through the courts. This delay caused the lapse in Greenbelt activity.

David Miller asked what the total rollback amount was. Cindy Bulloch replied that it was \$5,062.67. Dale Brinkerhoff explained that it was necessary to maintain the integrity of the entire Greenbelt program, and that this situation left the commissioners very little choice. Alma Adams requested that Mr. Feree be sent all of the applicable forms to reapply for Greenbelt.

David Miller made a motion to deny the appeal made by Thomas Feree because he had not ensured continuous Greenbelt use. In particular, he had not had any Greenbelt use since he reacquired the property in 2013. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

REVIEW AND DECIDE REGARDING SUBMITTED APPLICATIONS FOR EXEMPT STATUS FOR RELIGIOUS, CHARITABLE OR EDUCATIONAL PROPERTIES

Christine Lowder, Chief Deputy Auditor, presented the names of those organizations that had not submitted applications for exempt status by the March 9th Iron County Commission meeting. Christine reported that she had heard back from all the organizations except Boy Scout Troop 360.

David Miller made a motion to approve the applications for exempt status for religious, charitable or educational properties for the Cedar City Masonic Lodge, the Lions Club of Cedar City, and the Mountain View Baptist Church. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Dale Brinkerhoff, Iron County Commission Chair, declared the Iron County Board of Equalization closed, and reconvened the Iron County Commission.

LIBRARY DISCUSSION

Dale Brinkerhoff asked Michael Edwards whether he felt it was wise to move forward with the interlocal agreement. Michael Edwards replied that he felt that it would not be wise to enter into the agreement. Michael expressed that he was uncomfortable with Iron County collecting a library tax for the cities. After some discussion David Miller expressed concern that through the interlocal agreement, cities could still issue library bonds, thereby obligating Iron County. David Miller also expressed that the library funding concerns would probably need to be resolved legislatively. David noted that, currently, the state statute did not necessarily allow counties to collect a library tax on behalf of cities. He expressed his desire to be able to use those funds to best benefit a county-wide library system wherein all citizens would benefit.

David Miller made a motion to distribute the library funds in the same amounts as was done in 2014 for continuity's sake, and that the details of an interlocal library agreement be reviewed and finalized before Iron County finalizes the 2016 budget. Also, Iron County will work with the Utah state legislature to help solidify their position regarding the collection and distribution of the county library tax. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION OF TAX DEFERRAL AGREEMENT WITH GRAND LODGE AT BRIAN HEAD

Because no tax deferral request form has been submitted, David Miller made a motion to not negotiate with the Grand Lodge at Brian Head regarding a tax deferral. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PERSONNEL

Leslie Bishop, Iron County HR Director, requested approval of a new hire, Jan Hadlock in the Justice Court. This was a backfill of a vacant position.

Leslie Bishop requested approval of a new hire, Ashley Braun, as Center Activity Director. This was a backfill of a vacant position. David Miller made a motion to approve the new hires, Jan Hadlock and Ashley Braun. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented the name of Shawn Slaugh to receive a pay increase upon successfully completing one year of employment. However, Leslie recommended not granting this pay increase due to several factors. She noted the inequity of giving Shawn Slaugh an increase when so many other employees had received none, also that many other employees with longer tenures had not received pay increases and their salaries were compressed. Leslie noted that a salary study for employees that were under “compression” was taking place. She recommended that the commissioners table this action until July so that the salary study could be completed.

The commissioners took no action regarding the pay increase for Shawn Slaugh.

REQUEST TRANSFER OF TITLE FROM IRON COUNTY TO COAL CREEK IRRIGATION

Joe Melling, Secretary of Coal Creek Irrigation, requested the transfer of A.P.N. B-1321, located in Sec. 3, T36S, R11W from Iron County to Coal Creek Irrigation. Joe explained that the land in question had been owned by Coal Creek Irrigation, but was conveyed to Iron County to accommodate Kitty Hawk Road. Joe noted that this was done to provide access to the Iron County Road shed. Later, when I-15 was built, the land in question ceased being used as a road and was cut off by the overpass for Coal Creek Road. The land in question had not been used as a roadway since. Michael Edwards explained that because the land in question was used as a roadway it would be necessary to go through the vacation process.

Alma Adams made a motion to begin the process to vacate the land in question, vacating a 33 foot Public Use Easement on the north half and vacating the southerly 33 feet which had been deeded to Iron County. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

REVIEW CURRENT RIF POLICY AND APPROVE OR REJECT POTENTIAL CHANGES

Leslie Bishop, Iron County HR Director, explained the need to update the Reduction in Force (RIF) policy. Leslie explained that it was necessary to provide an appeals process for RIF’ed employees. Also, it was necessary to establish a process to file such a grievance. Leslie explained that RIF policies are one of the most litigated areas of human resource management.

Leslie Bishop noted that some of the changes to the policy included clarifying that “Director,” means the Director of Human Resources. Also, when a RIF is deemed necessary, the Elected Official/Department Head shall develop workforce adjustment plan. Leslie explained that merit, ability, and seniority were to be considered, resulting in a “retention score.” Other factors for determining the retention score were also discussed. She emphasized that the decision to take a RIF action and the formulation of the workforce adjustment plan must be accomplished before the RIF action is revealed.

Leslie Bishop continued, describing a closed meeting to be held with the commissioners, the elected official or department head, the HR director, and a county attorney wherein the elected official or department presents the workforce adjustment plan, presents employee lists and identifies employees with the fewest retention points. The meeting is also to discuss projected savings and factors that would mitigate the reduction in force. Then the Iron County Commission provides authorization for the RIF action and identifies the position(s) to be eliminated. More details regarding RIF are found in section 12 of the Iron County Personnel Policy.

Leslie Bishop and the commissioners discussed the topic of severance after a RIF action. Two weeks’ severance pay was deemed appropriate.

David Miller made a motion to approve the Reduction in Force or RIF policy as it was presented, with the clarification that the Iron County Commission will be the authority by which any RIF action will be approved. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

NIGHT HUNTING DISCUSSION

Dale Brinkerhoff led a discussion regarding the upcoming Night Hunting ordinance. Logistical concerns such as who would issue the permits, how hunters would be tracked, how the fees would be handled, and who would design the permits were discussed. Jon Whitaker consented to work with Sheriff Gower to finalize the details and begin the process of public notification.

DISCUSSION REGARDING DETAILS OF AMBULANCE PROPERTY

Alma Adams led a discussion regarding the Community Impact Board (CIB) grants and debt service related to ambulance properties and vehicles. The need to repay all debts owing CIB whether grants or bonds was emphasized by Reed Erickson.

NON-DELEGATED ITEMS

Reed Erickson, Planner and Special Services Coordinator for Iron County, discussed the dissolution of the Utah Prairie Dog Recovery Program (UPDRIP). With the changes in prairie dog management, UPDRIP would no longer be active. Instead, the "Coordinating Group," would be active. Reed explained some of the goals of the group, and sought to clarify Iron County's role in the group. David Miller expressed that the primary tenet would be to protect property owners' rights.

Reed Erickson and the commissioners discussed the Extension Service, financial participation by local counties, a new hire by the BLM, recovery sites on public lands, and efforts made by other neighboring counties. David Miller emphasized that to be successful, coordination would be key.

The Iron County Commissioners then hosted a meeting regarding changes in the management of the Utah Prairie Dog (UPD). Many representatives from local cities and towns were in attendance, as well as representatives from the Division of Natural Resources (DNR), and the Bureau of Land Management (BLM). Representative John Westwood was also present

David Miller explained that the forthcoming changes to the management of the UPD were a result of the culmination of a great deal of effort. David reported that the citizens got involved and organized People for the Ethical Treatment of Property Owners (PETPO). He noted that the federal approach to managing the UPD had become intolerable. David explained that PETPO spearheaded a lawsuit claiming that the impacts to property owners resulting from the management of the UPD through the Endangered Species Act were unconstitutional. PETPO was successful in its suit, and in the ruling it was clarified that Congress had no authority to regulate a species that was wholly intrastate. Because the species does not cross state lines it is not subject to the laws of interstate commerce. Furthermore, because the UPD has no commercial value it is not subject to the Necessary and Proper Clause of the Constitution.

David Miller explained that the purpose of the meeting was to clarify what changes would be coming and the timing community leaders could expect those changes to occur. David explained that on May 8th the new rules would go into effect. He explained that after May 8th, Utah state law would govern the management of the UPD.

Kevin Bunnell, Regional Supervisor for the Utah Division of Wildlife Resources, explain some of the details of the new UPD management plan. Kevin explained that under the DWR regulations, if private property had been mapped as UPD habitat, then a 1300 foot radius buffer zone was enforced. Under the new plan no such buffer zone would exist. Kevin explained that in the Cedar City and in Enoch areas alone, this would mean 51,000 acres would be freed up from regulation.

Kevin Bunnell explained further that if health and safety concerns arose, such as colonies near a school or cemetery or golf course, then the dogs could be removed without a permit. He emphasized that it would be necessary to report how many dogs were removed for accounting purposes. Kevin also explained that the dogs could be translocated or removed by lethal means. Another instance of health and safety concerns would be dogs within 50 feet of an occupied dwelling. He emphasized the value of translocation because it would bolster the numbers of dogs on public lands, because as number of dogs in the wild increase the restrictions surrounding them decrease.

Kevin Bunnell described how development would be eased under the new plan. Kevin explained that if the parcel to be developed were within UPD habitat, then the property owner would need to request a prairie dog survey which would be performed within one or two days to assess the number of dogs that would be impacted. The DWR would then issue them a letter within a couple of days and then they could move forward with construction. Another tremendous benefit would be that mitigation fees will no longer be required.

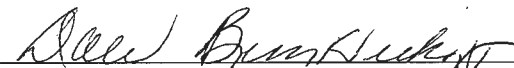
Kevin Bunnell discussed how the new rule would affect agriculture. He explained that take permits would still be available. Notably, Kevin described a compensation program that would allow for trapping and would reimburse farmers for the loss in productivity. He explained that Senator Vickers had secured the funding for this program through the legislature.

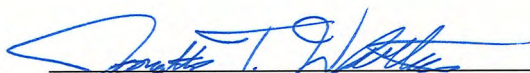
Reed Erickson described various situations that would apply under different types of land such as: federal, developed, unmapped, agricultural, etc. Reed then emphasized that under the new plan, UPD would not be the enemy. Instead elevating the population to sustainable numbers would be a common goal that would eventually free property owners and citizens from the hassle and expense UPD had caused in the past.

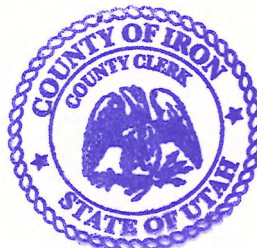
David Miller concluded by expressing how remarkable the progress was regarding management of the UPD. David explained that this was an unprecedented opportunity to show that a local community could protect a threatened species, and could also protect property rights. He emphasized the need to act together and that the UPD was not the enemy. David recognized that this was a change in paradigm and that the conversation needed to shift to protection of the UPD. He concluded by explaining that the restrictions would be lifted as soon as the goal was met. He expressed a desire to make a community goal of 2000 dogs for the spring count of 2016.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING
April 13, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 13th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Deborah B. Johnson	County Recorder
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Jon Whittaker.

INVOCATION

An invocation was offered by David Miller.

DEPARTMENTAL REPORTS

David Miller, Iron County Commissioner, reported attending the groundbreaking for the Beryl Solar project, one of the “Seven Sisters,” or seven solar power projects located in Iron and Beaver counties. David also reported on the April 1st meeting of the Iron County Coordinating Council, wherein they discussed future plans for Iron County, in particular the location of the North end of the belt route in Cedar

Valley. He then reported on the Iron County Republican party convention that had been held the previous Saturday. David noted that nearly all leadership positions changed.

Alma Adams, Iron County Commissioner, discussed the possibility of including a prayer on the Iron County Commission agenda, and some of the implications therein. Alma also discussed making a donation to the Western Conservation Range Association with Gene Adams, Iron County Auditor. He then explained that the 25 state inmates that had been promised never materialized. Alma asked the commissioners whether they should ask the state to keep their commitment in person. David Miller noted that it had been three years. Finally, Alma reported that he received a phone call from Scott Stubbs, a local rancher. Scott was concerned because of discussions about big horn sheep in Zion National Park and domesticated sheep grazing near the park. Mr. Stubbs was concerned that additional restrictions may be placed on grazing.

Gene Adams, Iron County Auditor, discussed the financial details of the sale of the Iron County Ambulance to Gold Cross in particular, regarding debt service owed to the Community Impact Board (CIB). Gene explained that among debts needing to be repaid were \$65,000 for an ambulance, \$27,000 remaining on the Cedar City ambulance building, and around \$826,000 remaining on the Jail and Cedar City ambulance buildings together. It was agreed that the \$65,000 and the \$27,000 would have to be paid outright. David Miller calculated that of the \$826,000, the ambulance portion would be about \$41,300, bringing the total repayment to \$133,300. At Dale Brinkerhoff's request, David Miller calculated \$3,976 of interest to cover nine months thus bringing the total repayment to \$137,276. Dale Brinkerhoff asked Gene Adams to prepare those three checks by the end of the day.

The commissioners then discussed board appointments. They indicated that Jon Whittaker, as clerk, should replace David Yardley on the Accident Review Board, the Agriculture Protection Board, and all others where David would no longer be serving. Also, Cindy Bulloch was to serve on the Accident Review Board, as the at large member also Del Schlosser representing the Sheriff's Office. Leslie Bishop, HR director, indicated that due to the sensitive nature of some of the accidents, the Accident Review Board would be comprised of 6 members instead of 9, all of whom have administrative duties. On the Career Service Council, commissioners suggested updating the HR Director name to Leslie Bishop.

PUBLIC COMMENTS

No public comments were offered.

APPROVE CONTRACT FOR GRANULAR BORROW ON 5700 WEST PROJECT

Steve Platt, Iron County Engineer, presented a contract for granular borrow on the 5700 West project. Steve reported that Russell Limb, of Progressive Contracting had provided insurance certificates, licenses, bonds, and the low bid of \$4.92 per cubic yard. Alma Adams made a motion to approve the contract for granular borrow 5700 West project at a price of \$4.92 per cubic yard, being a total of \$166,788. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Steve Platt also discussed with the commissioners the crushing contract between Iron County and Gilbert Development. Steve explained that the unit price of \$4.21 was an excellent price. He suggested that Iron County hire Gilbert to crush enough material to supply one additional year. David Miller suggested that enough material for multiple years be crushed. Steve replied that doing so would create an unfair bidding situation for other potential suppliers. Alma Adams made a motion to approve the crushing contract with Gilbert Development, including an additional year of crushed material, contingent upon ratification during the next Iron County Commission Meeting. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

VALLEY VIEW MEDICAL CENTER UPDATE

Jason Wilson, Administrator/CEO of Intermountain Valley View Medical Center (VVMC), gave an update as to the progress of VVMC. Jason noted that it had been a good year for the hospital. He explained further that one aspect of the Affordable Care Act, was that standards have been set across the country for quality, patient satisfaction, service and safety. Jason noted that said data is made public. He explained that the data set for each hospital would be the same, thereby allowing qualitative assessments. Jason explained that originally, VVMC did not score very well. However, Jason was pleased to report that in 2014, VVMC was a top 100 hospital in the nation by Truman Analytics.

Jason Wilson continued his report touching on the VVMC Joint Camp, Learning Center, landscaping, remodeling, and the Live Well campaign. Jason also reported that the ER statistics were up, with staffing increasing from 402 to 404. He also noted that charity care had increased to \$4.67 million in 2014 Jason reported on the challenges of debt collection and explained that VVMC carried about \$3.1 million in debt they were unable to collect.

Jason Wilson also mentioned some of the new doctors at VVMC: Dr. Alan Sanderson, a neurologist, Dr. Holman and Dr. Cox as ER doctors, also Dr. Ben Robinson.

The commissioners thanked Jason Wilson and VVMC for good report and for the excellent service they provide to the community.

ORDINANCE 2015-1, ALLOWING NIGHT HUNTING, INCLUDING SPOTLIGHTING WITH A WEAPON

The commissioners discussed adoption of Ordinance 2015-1, Allowing Night Hunting, Including Spotlighting With a Weapon. Alma Adams echoed a concern from the Sheriff’s Department, concerning reporting. Alma explained that the requirement to report each night’s take might cause an undue burden on the secretarial staff at the Sheriff’s office. Alma expressed that perhaps the return and report language could be included on a trial basis. He also noted that the volume of night hunters might be low, and might not play such a heavy burden on the secretarial staff. David Miller expressed that an important component of reporting was the requirement for hunters to report when and where they will be night hunting. David explained that this knowledge would be beneficial to dispatchers and Sheriff personnel if calls were to come in. David also expressed that to have hunters report on their take would probably not be vital nor beneficial. Sheriff Mark Gower also expressed that there would be little need to report on the animals taken, given that none of them are protected species.

David Miller made a motion to adopt Ordinance 2015-1, omitting the language requiring hunters to report on each night’s take. Also, that Night Hunting license applications will take at least 5 business days to process. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

IRON COUNTY ORDINANCE 2015-1

AN ORDINANCE OF IRON COUNTY, UTAH, ALLOWING NIGHT HUNTING INCLUDING SPOTLIGHTING WITH A WEAPON ENACTED PURSUANT TO U.C.A. §23-13-17

WHEREAS, Iron County desires to adopt an ordinance to allow night hunting, including spotlighting with a weapon.

DEFINITIONS:

Spotlighting - Throwing or casting the rays of any spotlight, headlight, or other artificial light on any highway or in any field, woodland, or forest while having in possession a weapon by which protected wildlife may be killed.

Motor Vehicle - As defined in U.C.A. §41-6a-102

1. Species that may be taken while spotlighting are limited to coyote, red fox, striped skunk, raccoon, and jackrabbit.
2. This ordinance provides that:
 - A. Any artificial light used to spotlight coyote, red fox, striped skunk, raccoon, or jackrabbit must be carried by the hunter.
 - B. A motor vehicle headlight or light attached to a motor vehicle not be used to spotlight prey.
 - C. While hunting with the use of an artificial light, the hunter may not occupy or operate any motor vehicle.
3. Restrictions on spotlighting within Iron County
 - A. Before being able to spotlight, a person must first obtain a spotlighting permit from the Iron County Sheriff's office. There is a \$20.00 fee for each permit, and the Sheriff's Office may restrict the number of permits issued. The cost of the permit is for the administration and enforcement costs of the permit and will be retained by the Iron County Sheriff's Office. Once a hunter has submitted an application and paid the appropriate fee, a permit will be mailed to them at the mailing address provided within about 5 business days. Permits are valid for 365 days from when they are obtained. Those individuals in the field with a weapon are required to possess a spotlighting permit. Hunters are required to have either a Utah Hunter Education Certificate of Completion ("Blue Card"), have a birth date of December 31, 1965 or earlier, or a current Utah (Small Game) license in order to purchase a spotlighting permit. Hunters under the age of 16 may receive a free permit if a legal guardian purchases a permit at full price.
 - B. The spotlighting season in Iron County shall be closed from August 1 through November 30.
 - C. Any weapon may be used for spotlighting. Firearms may not have a caliber larger than .24 and must not be capable of being fired automatically. Expanding bullets must be used. Shotguns and archery tackle are permitted.
 - D. Spotlighting is not allowed within 600 feet of a residence, city, or town boundary.
 - E. Spotlighting is not allowed on private property without written permission from the property owner.
 - F. Hunters are not allowed to trespass on private property while spotlighting.
 - G. Spotlighting may not be done by a person under eighteen years of age, unless accompanied by a person eighteen years of age or more and each person must possess a spotlighting permit.
 - H. Persons hunting with a spotlight must contact the Sheriff's Office each day they are hunting and provide the following information:
 - i. Permit Number
 - ii. Approximate location
 - iii. Approximation of time they will be hunting
 - iv. If hunting with more than one person, the permit number of each hunter must be reported.
4. This ordinance does not apply to:
 - A. A person or his agent who is lawfully acting to protect his crops or domestic animals from predation by those animals: or
 - B. An animal damage control agent acting in his official capacity under a memorandum of agreement with the Division of Wildlife Resources.
5. Property Damages:
 - A. Hunters who are found to have caused damages will be solely responsible for all damages to any and all property damaged.
 - B. If found to be criminal in nature, the hunters will be charged criminally and will face prosecution according to Utah State Law.

- 6. Any person violating a provision of this ordinance shall be guilty of a Class B Misdemeanor.
- 7. Any person found in violation of their permit will lose the privilege of holding an Iron County spotlight permit for a minimum of 5 years.
 - A. Violations will be reported to State Wildlife Offices.
- 8. Effective date:
 - This ordinance shall become effective May 13th, 2015
 - PASSED, APPROVED and ADOPTED this 13th day of April, 2015.

IRON COUNTY

By: Dale Brinkerhoff
 Dale Brinkerhoff Iron County Commission Chair

ATTEST:
Jonathan T. Whittaker
 Jonathan T. Whittaker, County Clerk



VOTING:
 Alma L. Adams Aye
 Dale Brinkerhoff Aye
 David Miller Aye

DISCUSSION REGARDING IMPOSITION OF LOCAL OPTION SALES TAX

David Miller explained that with the passage of HB362 in the Utah Legislature this year, an additional \$.05 per gallon would be charged for gasoline tax. That amount would increase over 5 years to a total of \$.09 per gallon additional gasoline tax. David explained that another component of HB362 would be an option for localities to levy an additional 0.25% in sales tax, or a "Local Option Sales Tax." The revenues generated by HB 362 will be appropriated to funding local transportation infrastructure. David explained that Iron County was 40% behind with road maintenance. However, he expressed concern about increasing sales tax to pay for the shortfall. David also expressed concern regarding the interplay between the new tax revenues and monies already being spent from Iron County's general fund for road maintenance.

Jim Ortler, a Brian Head Town Council Member, expressed that there were several issues in play regarding the Local Option Sales Tax. The first question was whether the Local Option Sales Tax be placed on the ballot for voters to decide whether to accept a 0.25% increase in sales tax. The second question Jim stated that needed to be answered was whether the Local Option Sales Tax be placed on the ballot in 2015 or 2016. Jim expressed that the Local Option Sales Tax would bring \$500,000 to Iron County and nearly \$10,000 to Brian Head. He asked the commissioners to consider the Local Option Sales Tax optimistically. Mr. Ortler and the commissioners discussed multiple topics including: the sales tax rate in Brian Head; different sources of revenue; usage of the general fund to maintain roads; and infrastructure spending shortfalls. Alma

Adams indicated that during a recent meeting with the local cities, everyone present had agreed that road maintenance was sorely behind.

David Miller made a motion to table any further discussion regarding the Local Option Sales Tax, pending answers to several questions, in particular, how much would it cost to administer and how those funds could be used in relation to the general fund. No second was offered, however Dale Brinkerhoff indicated that this issue would be brought back at the appropriate time.

DISCUSSION REGARDING THE BRIAN HEAD COMMUNITY DEVELOPMENT AGENCY

Bret Howser, Brian Head Town Manager, presented various issues regarding the Brian Head Community Development Agency (CDA). Bret explained that the Brian Head CDA was set up as a tax increment financing district. It was to be used for projects to increase value and spur economic growth. Through economic growth, the total taxable value increases, thereby increasing tax revenues. Bret noted that several projects were financed in part with CDA revenues, such as the interconnect skier bridge and Bristlecone Pond. Bret explained that the Brian Head CDA was created in 2008, which unfortunately was also the beginning of a lengthy recession. Because of this, the expected growth never occurred, with no tax increment created. Unfortunately, both Brian Head Town and Iron County have continued to pay about \$170,000 into the CDA from their respective general funds.

Bret Howser proposed that the Brian Head CDA be restructured. Bret suggested that CDA revenues be put toward critical village core development such as parking to support a restaurant or two and store. Bret proposed resetting the base line value of the CDA to allow room for growth. Also, he proposed eliminating the minimum contribution to be made to the fund by both Iron County and Brian Head, as well as extending the life of the CDA and updating the list of projects to be funded by it. The commissioners expressed support for the changes, and directed Bret to finalize the details and bring the proposed changes to the Brian Head CDA back for discussion and approval.

PERSONNEL

Leslie Bishop, Iron County HR Director, presented the Iron County Equal Employment Opportunity Policy to the commissioners for approval. David Miller made a motion to approve the Iron County Equal Employment Opportunity Policy. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop discussed the Iron County policy regarding Sick Leave. Dale Brinkerhoff explained that the large amount of accumulated sick leave by the employees of Iron County represented a \$1.5 million unfunded liability. Dale noted that he did not find any other municipality that allowed employees to accumulate an unlimited number of sick leave hours. He expressed the desire to revisit the Sick Leave Policy, and to cap the number of hours an employee can accumulate. Dale noted that Iron County, as a whole, was adding 200 sick leave days per month. Cindy Bulloch questioned how the \$1.5 million unfunded liability was calculated. Dale Brinkerhoff replied that the calculation was based on the number of hours accumulated multiplied by the hourly wage for each employee. Cindy expressed that she could not foresee of scenario wherein Iron County would have to pay the \$1.5 million unfunded liability. Dale explained that it could come about through state or federal action. Cindy expressed that upon termination an employee receives compensation for vacation and comp. hours accrued, but not sick leave. In other words, sick leave has no cash value. Dale suggested that employees with a large amount of accrued sick leave be able to bank those hours. Debbie Johnson questioned whether that strategy would actually lower the unfunded liability. Gene Adams explained that the independent auditor require that Iron County show the liability of accrued vacation and comp. time, but not of accrued sick leave.

Leslie Bishop presented a Reduction in Force (RIF) for the Emergency Medical Services division due to closure of the department. Leslie explained that the department closure resulted from the sale of the Ambulance service to Gold Cross. 9 full time and 61 part time positions would be eliminated by this closure. Leslie explained that 2 weeks written notice would be provided to the affected employees. Alma Adams made a motion to take action to RIF 9 full time positions due to the closure of the Emergency Medical Services Department, to take place on the day the sale to Gold Cross is finalized. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented the name of Sharissa Turnbaugh as a new hire in the Justice Court, effective April 5, 2015. This was a backfill of a position left vacant by Kaitlin Sorensen who moved to full time. David Miller made a motion to approve the hire of Sharrissa Turnbaugh. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented a pay increase for Carla Britt, who obtained her Associates degree, as per the Deputy Retention Policy. Leslie also presented a pay increase for Jarod Hansen, who completed 6 months of employment with successful completion of FTO, as per the Deputy Retention Policy. Alma Adams made a motion to approve the pay increases for Carla Britt and Jarod Hansen as explained. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented the name of Jamie Webb to be rehired, effective April 12, 2015. This rehire action is in accordance with Personnel Policy Section 10, which allows an individual to be rehired within 12 months in the same category. Alma Adams made a motion to rehire Jamie Webb as explained. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

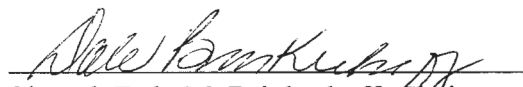
NON-DELEGATED ITEMS


David Miller gave a brief report regarding the progress made regarding the Utah Prairie Dog (UPD). David explained that May 8th would be the day when all of the discussed changes in UPD management would take place. He explained that several areas were being considered for UPD preserves. The number of UPD technicians would be increased from 2 to 15. David explained that in some areas, dogs will be able to be taken lethally. He emphasized however, that the UPD should not be considered the enemy. With the new management strategy, the conservation value of each dog should be considered. The overarching goal is to protect private property rights and to that end, the successful translocation of dogs adds to the number of counted dogs, thereby moving closer to the goal of eliminating any restrictions to property owners. Successful management of the UPD is key.

Reed Erickson discussed with the commissioners the need to release the bond on the Cedar City Ambulance building. He explained that it would be necessary to work with Candace Powers and the Community Impact Board (CIB), as well as the lender to bring it about. Dale Brinkerhoff expressed a desire to pay off all debts owing to CIB in relation to the Ambulance properties and equipment.

ADJOURNMENT

David Miller made a motion to adjourn. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

April 27, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 27th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
H. Eugene Adams	County Auditor
Deborah B. Johnson	County Recorder
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Jon Whittaker.

INVOCATION

An invocation was offered by David Miller.

DEPARTMENTAL REPORTS

Cindy Bulloch, Iron County Assessor, reported that the Assessor’s Office was moving forward. Cindy explained that the assessment roll deadline of May 21 was looming. She noted that her employees were working quite a bit of overtime. Cindy explained that much of the overtime pay would be taken as comp. time. However, many of her employees had not taken much time off, and were therefore close to being maxed out on comp. time. Those individuals would have to be taking their overtime compensation as cash, which would affect the budget.

Cindy Bulloch explained that since Suzette Bulloch had been RIF’ed (Reduction in Force), no replacement had been hired. Because of this, her office was still understaffed. In particular, the appraisers in training, Brady Kelsey and Kyle Adams, require a certain level of supervision until they are certified. The need to supervise draws the seasoned , certified appraisers from their usual work, which has caused an increased work load. Cindy noted that the extra work in her office also reflected a pick up in the economy.

Cindy Bulloch reported that the assessment roll was nearing completion. Cindy noted that property values were trending up. She expressed concern about excess homes in the \$300,000 to \$400,000 range, stating that wages in the area do not support those home prices.

The commissioners and Cindy Bulloch then discussed concerns regarding the collection of personal property taxes levied against businesses. In particular, the Grand Lodge at Brian Head was discussed. Cindy explained that it is possible to seize personal property from delinquent taxpayers, but can be very problematic. She committed to revisit the issue after the assessment roll was complete.

Cindy Bulloch expressed concern that Cerro Copper had closed down. In addition to losing the employees, there was \$5.5M in personal property that was no longer on the tax rolls. Cindy explained that the only way to make up for that loss in revenues would be to have \$5.5M in growth.

Gene Adams, Iron County Auditor, reported that the annual tax sale of parcels with at least 5 years delinquent taxes was coming up. He noted that at that time, there were 17 structures and roughly 200 parcels. Gene also explained that there were 8 campsite parcels that would be retained by Iron County and many Garden Valley Ranchos and Beryl Townsite parcels that lay in the West desert with little value.

David Miller asked whether Iron County was tracking late fees being paid by Iron County. Gene replied that no such tracking was taking place. David Miller then asked about a letter from the Utah State Auditor regarding the Uniform Fiscal Procedures Act, and whether Iron County was in compliance. Gene replied that he hoped to be in compliance by summer.

Nicole Rosenberg, Iron County Treasurer, reported that her office had distributed nearly \$700,000 to Iron County in the 1st Quarter of 2015. She reported product sales of roughly \$3 Million, and outstanding receipts of around \$5 Million.

Nicole also mentioned the upcoming tax sale. She discussed, in particular, businesses requesting tax deferrals. She noted that there had been discussions with the Cedar City KOA campground as well as the Lodge at Brian Head. Nicole expressed concern about considering tax deferrals for businesses. She felt such measures should be reserved for individuals trying to keep their homes.

Debbie Johnson, Iron County Recorder, reported that recordings were down as is typical for the winter months. Debbie noted that recordings had picked up in April. She mentioned that the employees had rallied around Dana Stubbs, who had been sick. Debbie reported that Dana had a positive attitude. She noted that the recent hire, Marcia Smith was coming along quite well.

Debbie Johnson reported that representatives from Family Search had scanned her documents up to the 1940's. She was working toward making those documents accessible. Debbie concluded her report by saying how blessed she was to work with such good people.

APPROVAL OF MINUTES

Alma Adams made a motion to approve the minutes of the February 9, 2015 Iron County Commission Meeting. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PUBLIC COMMENTS

No Public Comments were offered.

VACATE AND AMEND PARCELS IN CEDAR VALLEY ACRES SUBDIVISION

Doug Grimshaw, a local surveyor, represented Dean Hyde in a request to consolidate 4 parcels into 3, as well as vacate a portion of Spring Avenue within Cedar Valley Acres Subdivision. Doug Grimshaw reported that the plat to vacate and amend was reviewed favorably by both Steve Platt, Iron County Engineer and Reed Erickson, Iron County Planner. David Miller asked whether vacating the portion of Spring Avenue would deny access to any other owners. Doug replied that it would not. Alma Adams asked if the road vacation would make access more difficult. Doug explained that the block was small, and that adjacent owners could access on the East-West streets that exist.

Chad Nay pointed out that a public hearing would be necessary to move forward with the road vacation. Alma Adams made a motion to postpone the approval of the Road Vacation and Plat Amendment, until May 11, 2015 to allow the Iron County Clerk time to properly give notice for a public hearing. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

RATIFICATION OF THE EXTENSION OF CRUSHER CONTRACT WITH GILBERT DEVELOPMENT

Steve Platt requested the ratification of the extension of the crusher contract with Gilbert Development as discussed during the April 13, 2015 meeting of the Iron County Commission. Steve reported that the crushing was complete. Unfortunately, Gilbert ran out of gravel to crush before the contract was complete, and only 8,000 yards of gravel were crushed. Alma Adams made a motion to approve the extension of the contract as discussed and pay Gilbert Development for all of the crushing they provided. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

CONVENE AS IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

Dale Brinkerhoff, Iron County Commission Chair, declared the Iron County Community Development and Renewal Agency (ICCD&RA) convened.

ADOPTION OF ICCD&RA RESOLUTION 2015-1 AUTHORIZING THE PREPARATION OF A DRAFT COMMUNITY DEVELOPMENT PROJECT AREA PLAN AND RELATED MATTERS

Danny Stewart, Iron County Economic Development Director, presented a request to begin the process of creating a Community Development area for the Three Peaks Power Solar project. He explained that the project would be located just East of the Lund Highway, just North of the Cedar Valley Acres Subdivision. Danny was pleased to explain that this photovoltaic (PV) solar project would be the largest to date, with a 100 megawatt (MW) capacity, as well as a storage component. David Miller made a motion to approve ICCD&RA Resolution 2015-1, authorizing the preparation of a draft community development project area plan. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

RECONVENE AS IRON COUNTY COMMISSION

Dale Brinkerhoff, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

NOTIFICATION OF CONDITIONAL USE PERMIT APPLICATIONS FOR SOLAR

Reed Erickson, Iron County Planner, discussed with the commissioners 3 Conditional Use Permit (CUP) applications that were scheduled to come before the Iron County Planning Commission on May 7, 2015. The applications were for Iron Springs Solar, an 80 MW PV solar project containing 816 acres; Granite Mountain Solar East, an 80 MW project containing 1049 acres; and Granite Mountain Solar West, a 50 MW project containing 438 acres. These projects are located within various sections of Township 35 South, Range 12 West, Salt Lake Base and Meridian.

Reed explained that the Iron County Planning Commission would be requiring the solar developers to provide adequate right-of-way, typically 100 feet wide. These three projects, in particular, would have an impact on 5700 West, in the Cedar valley. The objective would be to minimize impact on traffic by placing equipment and anticipating future right-of-way needs.

Chad Nay, Iron County Building Official and Zoning Administrator, explained that there would be more solar projects to come. Reed Erickson concurred, saying that he received 2 to 3 phone calls per day regarding solar.

STRATTON ANNEXATION INTO CEDAR CITY

David Clarke, a surveyor from Platt and Platt Engineering, representing the Stratton Family, presented the Vernal Stratton Family annexation request to become part of Cedar City. David explained that a recent law passed allowed annexations to create islands and peninsulas, if the county in which the island or peninsula is to be created accepts such a request. He explained that the Vernal Stratton Family annexation request would encompass 18.4 acres and 10 parcels.

Chad Nay explained that the new law, HB 42, struck the language prohibiting the creation of islands or peninsulas. Chad expressed that islands and/or peninsulas are not desirable from a planning perspective. He expressed concern that this island of annexation would create confusion as to the plowing of roads in the winter, as well as general maintenance of those roads. Chad expressed that such annexations should include the adjacent roads so as to include them in the cities' road maintenance agreements.

David Miller inquired as to the status of annexations, as well as the details of the current road maintenance agreement. Joe Melling explained that the maintenance and plowing agreements follow natural patterns, so as to minimize gaps and hand off areas, even if the road maintenance responsibilities do not necessarily follow the city boundaries exactly.

Alma Adams suggested having the Cedar City and Iron County road departments meet to review the maintenance and plowing agreements moving forward in light of the desired Vernal Stratton Family Annexation. The commissioners directed that the road departments from both entities meet to review the service agreements.

UPDATE REGARDING OHV TRAIL PLANNING ACTIVITIES

Mike Worthen, Iron County Natural Resource Specialist, updated the commissioners on the trail planning activities, in particular the Markagunt Trail Segment. The Markagunt Trail Segment is to be part of the Color Country Trail system. It is one of 15 segments of the trail system. The Color Country Trail system is designed and intended to tie into the Paiute and Old Spanish Trail systems. Mike explained that Iron County would designate the trails, then ask for a National Environmental Policy Act (NEPA) assessment.

Mike Worthen discussed information kiosks to be placed at the trailheads, as well as in municipalities and areas of interest, such as Enoch, Parowan, 3 Peaks Recreational Area, etc. Mike discussed being able to build the kiosks as the trails are completed, and as grant money becomes available. David Miller asked what kinds of maps were planned for the public in regards to the Color Country Trail system. Mike Worthen replied that the Iron County website (www.ironcounty.net), would host links to the U.S. Forest Service maps. David Miller indicated that those that use the maps would probably benefit from a robust, hard copy of the map.

David Miller made a motion to approve the grant application for trailhead kiosks. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION

Dale Brinkerhoff, Iron County Commission Chair, declared the convening of the Iron County Board of Equalization.

REQUEST TO ADJUST VALUE ON PARCEL A.P.N. A-779-78-1

Cindy Bulloch, Iron County Assessor, requested that the value of the home on A.P.N. A-779-78-1, or the South Half of Lot 2, Block 10, The Homestead Subdivision, at 4568 North Pioneer Drive, in Enoch be reduced due to a devastating house fire. Cindy explained that usually, the value as of January 1st each year stands, but in this exceptional circumstance, she felt as though a reduction in value would be appropriate. She noted that the typical way to calculate value in situations like this was to pro rate the time the structure was standing against the time it was destroyed. Cindy noted that this would represent a nearly 75 percent reduction in value. David Miller made a motion to adjust the value to \$56,000 for A.P.N. A-779-78-1. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Dale Brinkerhoff, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

REQUEST TO ABATE TAXES ON PARCEL A.P.N. A-779-78-1

David Miller made a motion to abate the balance of the taxes for A.P.N. A-779-78-1 for the remainder of 2015. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PUBLIC HEARING REGARDING ORDINANCE 2015-2, VACATING A PORTION OF KITTY HAWK ROAD

Dale Brinkerhoff, Iron County Commission Chairman, declared the public hearing to receive public comment regarding Ordinance 2015-2, Vacating a Portion of Kitty Hawk Road open.

Joe Melling, representing the Coal Creek Irrigation Company, used historical photos, maps and firsthand knowledge to describe the parcel to be vacated, as well as the reason. The land in question was separated from the remainder of Kitty Hawk Road when I-15 was established in the 1970's. From that time to the present, the portion to be vacated has not been used as a roadway. Coal Creek Irrigation, who had donated the land to Iron County, still owns the adjacent property and seeks to sell it to the owners on the North, making a contiguous parcel from the Coal Creek Road overpass in between I-15 and Bulldog Road. Jon Whittaker explained that the northerly 33 feet of the right-of-way to be vacated was held as a Public Use Easement, and would be relinquished with Ordinance 2015-2. The Southerly 33 feet, would be vacated per §72-3-1-108 and the land would transfer to Coal Creek Irrigation Company. Dale Brinkerhoff asked if there were any questions or comments regarding the road vacation. None were offered.

CLOSURE OF PUBLIC HEARING

Dale Brinkerhoff, Iron County Commission Chair declared the public hearing regarding the vacation of a part of Kitty Hawk Road, closed.

ORDINANCE 2015-2, VACATING A PORTION OF KITTY HAWK ROAD

Alma Adams made a motion to approve Ordinance 2015-2, Vacating a Portion of Kitty Hawk Road. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

IRON COUNTY ORDINANCE 2015-2

**AN ORDINANCE OF IRON COUNTY, UTAH, VACATING A PORTION OF KITTY HAWK ROAD (EAST OF BULLDOG ROAD), LOCATED IN SECTION 3, T36S, R11W, SLBM.
ENACTED PURSUANT TO U.C.A. §72-3-1-108**

WHEREAS, Kitty Hawk Road lying East of Bulldog Road has not been used as a roadway since the establishment of Interstate 15, being a period of approximately 45 years.

WHEREAS, said portion of roadway was cut off due to an overpass of Interstate 15, causing Kitty Hawk Road to terminate at the intersection of Bulldog Road.

WHEREAS, Coal Creek Irrigation Company conveyed the Southerly half of said portion of roadway to Iron County, December 2nd, 1952, Entry Number 95474 as recorded in the Office of the Iron County Recorder.

WHEREAS, the Northerly half of said portion of roadway appears to have been occupied on private land as a Public Use Easement.

WHEREAS, Coal Creek Irrigation now desires to retain said portion of roadway.

WHEREAS, Iron County has no use for said portion of roadway, nor does Iron County foresee any future use of said portion of roadway as a roadway, it being cut off.

WHEREAS, the Board of County Commissioners for Iron County, Utah, found that all owners of property abutting said portion of roadway have been notified of the proposed vacation by mail and that notice of the public hearing has been made in The Spectrum Newspaper, a newspaper of general circulation within Iron County. Notice of the public hearing to vacate said portion of roadway has also been made on the Utah Public Notice Website (pnm.utah.gov) for four weeks before the hearing.

NOW THEREFORE, the County Legislative Body of Iron County, Utah, Ordains as follows: That the portion of Kitty Hawk Road lying East of Bulldog Road, both the Northerly and Southerly halves, being more particularly described as follows:

Northerly Half to be Vacated – Public Use Easement:

A.P.N.: Part of B-1319-6

A Public Use Easement 33.00 feet in width, the South line of which is described as: Beginning at a point N89°23'41"E along the 1/16 section line 82.59 feet from the Center South 1/16 corner of Section 3, Township 36 South, Range 11 West, SLB&M (said point being on the East R.O.W. line of Bulldog Road) and running thence N89°23'41"E 437.86 feet along said 1/16 line to the Westerly no access line of Interstate 15 and the point of ending.

Southerly Half to be Vacated – Fee Simple (From Entry #95474):

A.P.N.: B-1321

Beginning at the Northwest Corner of the Southwest Quarter of the Southeast Quarter of Section 3, Township 36 South, Range 11 West, SLB&M, thence East 750 feet; thence South 33 feet; thence West 750 feet; thence North 33 feet to the Point of Beginning.

Excepting therefrom any portion lying within the Interstate 15 Right-of-Way.

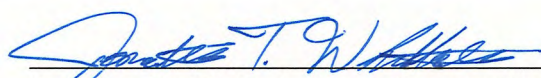
(Please note attached "Exhibit A")

SHOULD BE, AND IS HEREBY VACATED in accordance with U.C.A. §72-3-1-108.

Approved, passed and adopted this 27th Day of April, 2015 by the Board of Iron County Commissioners in regular session assembled, in and at their regular place of meeting.

By: 
Dale Brinkerhoff, Iron County Commission
Chair

ATTEST:

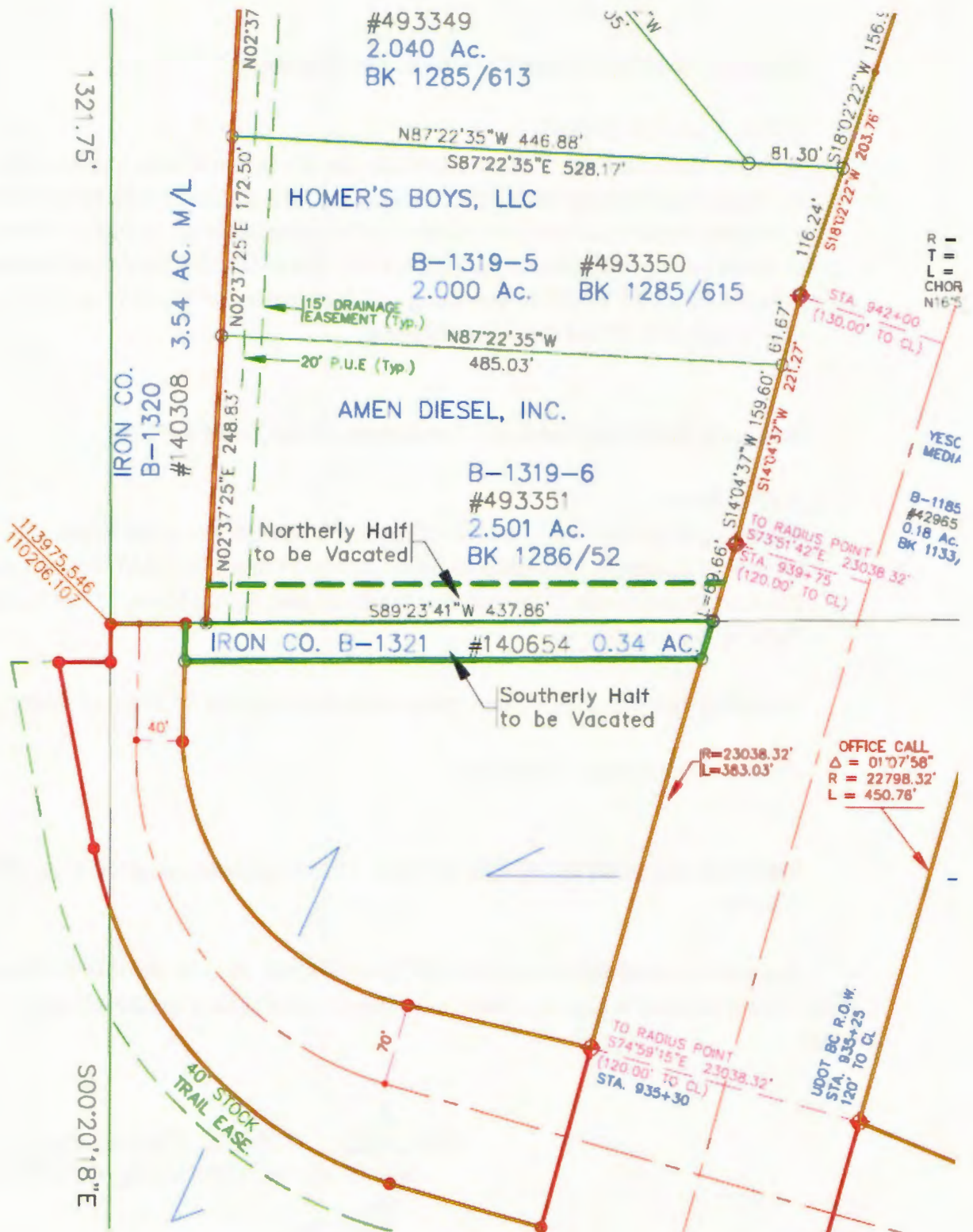

Jonathan T. Whittaker, Iron County Clerk



VOTING:

Alma L. Adams Aye
 Dale Brinkerhoff Aye
 David Miller Aye

**Exhibit A
 Reference Map**



**DECISION REGARDING EMERGENCY MEDICAL SERVICES WORKFORCE
ADJUSTMENT PLAN**

David Miller explained that the commissioners had received a workforce adjustment plan on April 8, 2015 from Sheriff Gower to modify the Reduction in Force (RIF) action approved on March 23, 2015. The first proposal was to reduce the total hours from 3,900 hours. David expressed that this would create a shortage of hours, and would adversely affect the bailiffs. David Miller made a motion to deny the first requested change to the March 23, 2015 RIF action. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Alma Adams explained that the second proposal from Sheriff Gower was to recreate the position of Undersheriff. Alma explained that as reflected in the minutes from the March 10, 2014 Iron County Commission meeting, the position of Undersheriff, or Chief Deputy, was replaced by the Administrative Lieutenant over Patrol Division. Because of the replacement, recreating a new position of Undersheriff would constitute creating a new position. Alma Adams then made a motion to deny the second proposal to recreate the position of Undersheriff. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PERSONNEL

Leslie Bishop presented a request to approve a 2% increase for Deputy Shawn Peterson, a certified K9 handler as per the Deputy Retention Policy. David Miller made a motion to approve the 2% increase for Deputy Peterson as explained. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

**DISCUSSION AND ACTION REGARDING COMPLIANCE WITH F.B.I.
SECURITY AUDIT**

Jared Wilson, Iron County IT Director, presented the findings of a recent security audit performed by Federal Bureau of Investigation (FBI) personnel. Jared explained that various deficiencies were identified during the preliminary audit called, "Pre-Audit Training." He explained that Iron County would need to purchase new hardware and software. Dale Brinkerhoff asked what the cost to come into compliance would be. Jared Wilson explained that an additional \$15,000 to \$20,000 would be needed. Dale Brinkerhoff expressed that these FBI requirements represented another unfunded mandate of the federal government.

Jared Wilson then noted that because of the additional logs and the need to audit them weekly, as well as the electronic monitoring, additional IT personnel might become necessary. Alma Adams questioned whether additional personnel would be necessary. Jared Wilson explained that his department was already processing 200-300 work orders per month. Alma Adams made a motion to approve approximately \$20,000 for the Iron County IT Department to be able to comply with the FBI audit, and for Jared Wilson and the HR department to bring the request for additional personnel when the need arises. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

NON-DELEGATED ITEMS

Bureau of Land Management (BLM) personnel discussed the progress of the Utah Prairie Dog (UPD) with the commissioners. Some of the issues they discussed were: Translocation saturation, National Environmental Policy Act (NEPA) assessments, a plague dusting contract, and the overall health and numbers of dogs on translocation sites. Mike Worthen, Iron County Natural Resource Specialist, recommended reducing the number of dogs translocated to any one site. Mike recommended translocating no more than 200 dogs to a site. BLM personnel also discussed site preparation, and efforts to locate and establish more translocation sites for the UPD.

The commissioners and BLM personnel then discussed the Off Highway Vehicle (OHV) trail Iron County had been working to establish. Mike Worthen explained that the Markagunt Trail would tie in on the North with the Paiute Trail. Additional NEPA reviews were discussed, in particular the scope of future NEPA reviews and whether NEPA could be done for the whole trail system, or if segments would be reviewed individually. Mike Worthen also discussed trailhead kiosks and trail signage. Another trail that was discussed was a mountain bike trail that would extend along the foothills from Shurtz' Canyon on the South, to Paragonah on the North.

The Iron County Resource Management Plan was discussed. Mike Worthen noted that the Plan was being reviewed. There was some discussion as to whether any changes to the Plan should be made in response to special interest groups.

Finally, the commissioners discussed wild horses with those present. The report was negative in terms of success in dealing with the horses. The collection corrals were full, with no other option but to trap them. Spaying mares and gelding stallions was noted as a population measure. David Miller noted that surgical sterilization was an effective long term way to reduce births, but that the problem was acute. David mentioned legislature designed to allow the state of Utah to assume control of the wild horses. Alma Adams asked whether more facilities were planned. David Miller explained that they were, but would constitute a temporary solution at best.

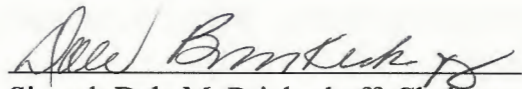
Board appointments were also discussed. Alma Adams made a motion to ratify the appointment of Dale Orton to the Career Service Council, as well as Kim Evans and Craig Laub to 3 year terms to Iron County Special Service District #3. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

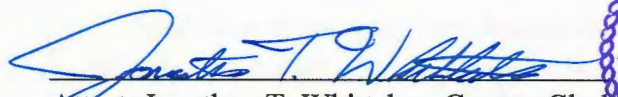
APPROVAL OF SALE OF IRON COUNTY EMERGENCY MEDICAL SERVICES ASSETS

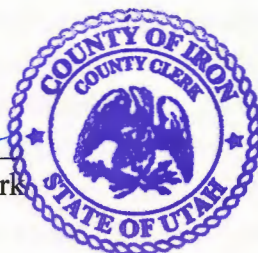
David Miller made a motion to approve the Asset Purchase Agreement with Gold Cross Services, Inc. excluding real property in the amount of \$745,655.66 purchase price, with a promissory note in the amount in the amount of \$558,621.10 accruing 6% interest for a period of 48 months. David explained that the sale of real property would take place within 2 weeks, and that in the interim, Gold Cross Services, Inc. would lease the Emergency Medical Services properties from Iron County for \$1. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ADJOURNMENT

David Miller made a motion to adjourn. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY SPECIAL COMMISSION MEETING
April 29, 2015

Minutes of the Iron County Commission meeting convened at 12:30 p.m. Wednesday, April 29th, 2015 in the Board Room, Level 3, at the Utah Valley Convention Center, 220 West Center, Provo Utah.*

(*This unusual location was due to annual meetings of the Utah Association of Counties that Iron County officers attend. The proceedings were available by teleconference in the Commission Chambers of the Iron County Courthouse, Parowan, Utah)

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Leslie Bishop	Human Resources Director
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DISCUSSION AND APPROVAL OF LEASE AGREEMENT BETWEEN IRON COUNTY, LESSOR AND GOLD CROSS AMBULANCE, LESEE OF THE CEDAR CITY AND PAROWAN AMBULANCE BUILDINGS

Dale Brinkerhoff explained that the reason for the lease agreement was because the real property sales contract was not yet agreed upon. Dale explained that the lease to be entered into was to be for a short period of time, to cover the period between the sale of the Iron County Assets and the completion of the real property transaction.

Alma Adams asked Michael Edwards, what the term of the lease would be. Michael Edwards indicated that the lease would be for up to 60 days. Michael also indicated that the lease was not likely to last the full 60 days. David Miller clarified that all utilities would be paid by the Lessor. David Miller asked whether any incident in the buildings, such as pipes breaking would be covered by the insurance Gold Cross Ambulance carries. Michael Edwards explained that under Article 6 of the contract, General Indemnity, insurance and casualty were covered. Jon Whittaker clarified that, under the lease agreement, the properties were to be leased “as is.” David Miller made a motion to approve and agree to enter into the lease as per the lease agreement, with the objective to facilitate the eventual sale of the real property. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

RESOLUTION 2015-1, APPROVING THE SALE OF IRON COUNTY AMBULANCE SERVICE AND ASSOCIATED REAL PROPERTY

Alma Adams made a motion to approve Resolution 2015-1, A Resolution Approving the Sale of Iron County Emergency Medical Services Real Estate and Assets. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

IRON COUNTY RESOLUTION 2015-1

A RESOLUTION OF IRON COUNTY, UTAH, APPROVING THE SALE OF THE IRON COUNTY AMBULANCE SERVICE AND ASSOCIATED REAL PROPERTIES

WHEREAS, Iron County desires to promote the welfare and safety of the citizens of Iron County,

WHEREAS, Iron County's authority to provide emergency medical services is regulated by a license from the Utah Bureau of Emergency Medical Services,

WHEREAS, Iron County is not statutorily obligated to provide emergency medical services,

WHEREAS, a number of private entities/individuals have expressed interest in providing emergency medical services within Iron County,

WHEREAS, emergency medical service providers are regulated by the Utah Bureau of Emergency Medical Services,

WHEREAS, providing emergency medical services has had a consistent and significant negative impact on the Iron County budget,

WHEREAS, Iron County currently owns and maintains various equipment, inventory, and real estate used to provide emergency medical services,

WHEREAS, Iron County received a number of offers from entities/individuals offering to purchase said equipment, inventory, and real estate,

WHEREAS, the sale of said equipment, inventory, and real estate would allow Iron County to pay down outstanding debt,

WHEREAS, the offer to purchase said equipment, inventory and real estate from Gold Cross Ambulance contained terms which were more advantageous to Iron County than the other offers, and

WHEREAS, Iron County has provided public notice for no less than 14 days as per UCA §17-50-312.

NOW THEREFORE, be it resolved and enacted by the governing board of Iron County, Utah as follows:

1. Beginning May 1, 2015, Iron County will no longer provide emergency medical services pursuant to a license from the Bureau of Emergency Medical Services.
2. The Iron County Commission hereby approves the sale certain Real Property associated the Iron County Ambulance services in accordance with UCA §17-50-312 to Gold Cross Ambulance or an affiliated organization, pending contract review and approval.

Said Real Property is more particularly described as:

Parcel 1 Cedar City Ambulance Building
201 DL Sargent Drive
Cedar City, UT 84721

APN: B-1196-12

Legal Description: BEG AT E1/4 COR SEC 35,T35S,R11W, SLM; N0*07'41"E ALG SEC LN 1131.33 FT; W 1618.47 FT; S13*15'34"W 428.46 FT TO TRUE POB; S13*15'34"W 194.70 FT TO N LN OF D L SARGENT DR & ARD ARC OF CURV TO LEFT W/ RADIUS OF 830.30 FT DIST OF 52.92 FT(CHORD OF SD CURV BEARS N74*55'00"W 52.91 FT); N76*44'26"W 130.25 FT; N11*17'27"E 193.14 FT; S76*44'09"E 189.77 FT TO TRUE POB. SUBJ TO 7.5 PUB UTIL EASE ALG S SIDE OF ABOVE DESC PARCEL ADJ TO D L SARGENT DR.)

Parcel 2 Parowan City Ambulance Building
695 North 300 East
Parowan, UT 84761

APN: A-2-5


Legal Description: COM SE COR SW1/4 SEC 12,T34S,R9W, SLM; N 33.06 RDS; S53*12'W 619 FT; S 9.44 RDS; E 30 RDS.)

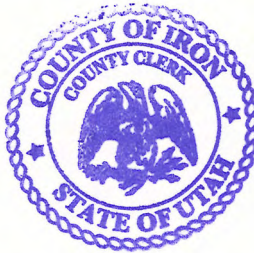
DATED this 29th day of April, 2015

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Dale M. Brinkerhoff

ATTEST:


Jonathan T. Whittaker
Iron County Clerk




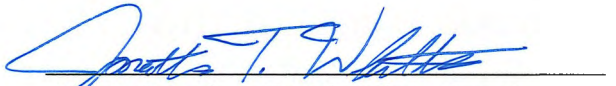
Voting:

Alma L. Adams	Aye
Dale M. Brinkerhoff	Aye
David J. Miller	Aye

ADJOURNMENT

David Miller made a motion to adjourn. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

May 11, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 11th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
Scott Garrett	County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
H. Eugene Adams	County Auditor
Deborah B. Johnson	County Recorder
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director
Lori White	Justice Court Administrator

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Lori White

INVOCATION

An invocation was offered by Alma Adams.

DEPARTMENTAL REPORTS

Lori White, Iron County Justice Court Administrator, reported that Justice Court personnel had received record keeping training in the spring. Lori noted that in the fall, they were to receive TAC training in St. George. She explained that the Justice Court was working toward being paperless. Lori noted that this was the direction of the industry and may be mandated in the future. She expressed gratitude that Jared Wilson, Iron County IT Director, had installed scanners that had been used by the Recorder's office to help digitize their documents. Lori explained that she had discussed digital security with Judges Miller and Dunlap before moving forward. Dale Brinkerhoff instructed Lori to budget \$3,000 in 2016 for new scanners.

Lori White reported that in the month of April, 2015, the Justice Court balanced. She asked that 2 clerks be able to be paid a "lead" stipend to take charge when Lori might be away. David Miller instructed Lori White to work up the details with Leslie Bishop, Iron County HR Director.

Scott Garrett, Iron County Attorney, reported that the Attorney's office was slightly under budget so far in 2015. Scott noted that vehicle operations exceeded projected spending, coming in at over 84% of the annual budget already. He explained that his department would try to work together for the rest of the year to keep vehicle operation expenses down for the rest of 2015.

Scott Garrett explained that, so far, 2015 did not have any statistics that stood out. Michael Edwards noted that if Driving Under the Influence (DUI) numbers continued at the same pace, that would be higher than previous years.

Scott Garrett expressed regret that long serving secretary Holly Chandler was leaving. Scott noted that this was the first time he had had to replace a secretary. He also noted that Michael Edwards, who serves as the Attorney's Deputy to the county commission was concerned to be working on civil cases. Scott noted that Michael Edwards was doing a great job.

Scott Garrett and the commissioners then discussed HB 348, which reduces penalties for certain offenses. Scott noted that it would take effect in October, 2015. He explained that it would reduce many felony drug and vehicle charges to Class A misdemeanors. Scott expressed that he did not support the bill, because it limited the options given to prosecutors in charging defendants. The bill aims to reduce prison populations and recidivism through enhanced treatment efforts and less prison time for repeat drug offenses. He noted that the bill had received a great deal of momentum and was popular with many. Alma Adams asked whether it would drive up costs for Iron County. Scott Garrett replied that there might be more treatment costs, but grant monies would also be available. He noted that incarceration costs would be reduced overall. Scott explained that under HB 348, a methamphetamine conviction that used to be a 3rd degree felony would now be a Class A misdemeanor. He expressed frustration that, as a prosecutor, his ability to negotiate would now be limited. Scott explained that defendants that were found guilty of their 1st offense would normally not be sent to prison, but were typically sent to treatment. He noted that these individuals would never be sent to prison under HB 348, but instead, would spend time in county jail, thus increasing costs.

Ranon Hulet, Iron County Jail Office Manager, reported for Corrections. Ranon explained that Captain Brett Allred and Lieutenant Brad Spencer were both excused. She reported that the Corrections budget was on track, but that postage was a little over. Ranon also discussed HB 348 with the commissioners. She explained that, in terms of revenues, HB 348 would help prisons, but hurt Iron County Corrections. She explained that instead of receiving revenue for state prisoners, the Jail would be housing them directly, due to the fact that the drug-related convictions would be Class A misdemeanors instead of felonies. By housing them directly, the Jail would not receive any compensation from the State of Utah. Instead, the Jail charges inmates "Pay for Stay," but often inmates do not pay. This results both in a loss of revenue, as well as an

increase in expenses for Corrections. Ranon also noted that courts had been giving more waivers to inmates for the "Pay for Stay" fees.

Another budgetary concern Ranon Hulet brought forth was inmates that were convicted of felonies, but awaiting their hearing in drug court. Michael Edwards noted that many of these inmates are incarcerated during this period without a plea. Ranon Hulet explained that this was a relatively new phenomenon, but a real budget concern. Ranon then discussed jail reimbursement with the commissioners under the COP (Condition of Probation) program. This is a program in which convicted felons are sentenced to prison, but the judge orders them instead to serve up to a year in the county jail. Incarceration expenses for those individuals are subject to a 50% reimbursement from the State of Utah to county jails. Ranon explained that those funds would be paid in December, at which time the amount reimbursed would be better understood.

Ranon Hulet reported that the Jail had replaced the water heater. Ranon explained that Mike Gibbs has performed the installation, saving Iron County a great deal of money. The total cost came to \$27,506.21.

Ranon Hulet noted that the workload in Corrections had remained fairly static. Ranon explained that bookings from the Iron County Sheriff's Office had increased. She also noted that transfers from other facilities were considered bookings, even though no arrest had been made. Ranon explained that shortages in staffing had caused the prison work crew to stop. She explained that Captain Allred and Lieutenant Spencer did not feel that a work crew would be possible until staffing levels were restored. She estimated that it would be 6 months until it would become operational.

In conclusion, Ranon Hulet noted that the budget for training was over. She explained that Corrections personnel had attended over 1,100 hours of training with the goal to become trainers and move more training in house.

Alma Adams, Iron County Commissioner, reported that he was able to confirm that the North end of the Visitors' Center Building was being used by the State of Utah. Alma also discussed a proposal put forth by Bruce Adams with the objective of fairer representation in the Utah Senate, by modeling the national system of one senator for one county. He expressed that he felt a resolution by the Iron County Commission to that effect would be worth pursuing.

David Miller, Iron County Commissioner, reported that an operation entitled "Jade Helm 15" was under way in certain areas of the State of Utah. David explained that Iron County had been considered as a potential location, but fortunately that was no longer the case. He explained that Jade Helm was a military Special Ops. exercise. David expressed concern that it was bringing military operations into civilian areas. He expressed opposition to operations such as Jade Helm and was glad it was elsewhere.

David Miller then discussed Commissioner Phil Lyman of San Juan County. Commissioner Lyman led a protest ATV ride up Recapture Canyon in 2014. David Miller explained that the Utah Association of Counties executive committee would be defending Mr. Lyman. David emphasized the importance of defending access to public lands, health, safety and welfare.

Dale Brinkerhoff, Iron County Commissioner, reminded all gathered about the upcoming "Honor Flight," on June 4-6. Dale encourages the community to support the Honor Flight for veterans to travel to Washington D.C.

PUBLIC COMMENTS

No public comments were offered.

TAX DEFERRAL REQUEST FOR GERRY D. CAUSEY, JR.

Gerry Causey, owner of A.P.N. D-456-837-1, located in the Cedar Valley Acres subdivision, requested a tax deferral due to financial hardship. Mr. Causey explained that due to divorce, he was financially indigent, even though he owned the house with no debt. He continued that he was just overcoming some health problems that had kept him

from working. David Miller asked whether Mr. Causey lived in the home. Mr. Causey replied that it was his primary residence. Mr. Causey explained that he had attempted to remedy the situation through various lenders and family, to no avail. Alma Adams asked whether Mr. Causey felt he could repay the \$5,982.52 owing. Mr. Causey stated that he could repay the debt at a rate of \$500 per month. Alma Adams made a motion to approve the request for deferral by Mr. Causey based upon meeting all the requirements of the deferral application, the home being his primary residence, and Mr. Causey's commitment to pay \$500 per month until the debt is repaid. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION OF TAX DEFERRAL AGREEMENT WITH GRAND LODGE AT BRIAN HEAD

Michael Edwards, Deputy County Attorney, explained that the Grand Lodge at Brian Head owed \$843,121.31 in taxes. Also, that if the taxes were not brought current, the Lodge would be on the tax sale auction. The commissioners and the other elected officials then discussed the relationship between Zohar Cohen, the developer, and the lender he used to purchase the Lodge. In particular, Mr. Cohen was able to purchase the Lodge with financing, but without the taxes being current. The proposal was put forward to accept \$600,000 immediately and the remainder by May 15. David Miller disclosed that he had made a motion not to consider deferrals for anything but a primary residence. However, David Miller made a motion to accept the proposal of \$600,000, payable by Friday, May 15. Further, that the balance be paid by six months, and that monies be set aside from the monthly payment to prevent further penalties. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

UPDATE ON "THE COUNTY SEAT" TELEVISION PROGRAM

Chad Booth, Executive producer for The County Seat television program gave a report on topics covered and sought input from the commissioners regarding possible future topics. Among the topics reported were: fairer distribution of state senators within Utah, and the Phil Lyman/Recapture Canyon concerns. Chad Booth then reported that The County Seat had won 5 television awards and had attained ratings of 72,000 viewers per week. Among the ideas from the commissioners were: Iron County's county-wide trail system being implemented, concerns over the catastrophic fire conditions that exist in the local forests, the 3 Peaks recreational area, the overpopulation of wild horses on public lands, the commissioners continued support for coal, and the solar boom that is ongoing.

VERNAL STRATTON FAMILY LTD. ANNE XATION INTO CEDAR CITY

Chad Nay, Iron County Building Official and Zoning Administrator, presented a proposed annexation of unincorporated parcel Assessor's Parcel Number A.P.N. D-698-1 into Cedar City. Chad explained that the approval of the Iron County Commission was required because the annexation would create an island of county property. He expressed that the concerns surrounding this annexation were mainly road maintenance and plowing. Chad also recommended that the commissioners approve the annexation. David Miller asked whether anything significant was on the parcel that would be the island. Chad Nay indicated that there were a few residential parcels.

David Miller made a motion to approve the proposed annexation of A.P.N. D-698-1, recognizing that it would create an island of unincorporated land. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PUBLIC HEARING REGARDING ORDINANCE 2015-3, ROAD VACATION

Dale Brinkerhoff, Iron County Commission Chair, declared a public hearing to consider vacating a portion of Spring Avenue, lying South of Juniper Street and North of

Lund Highway, located in Section 5, Township 35 South, Range 11 West, Salt Lake Base and Meridian, also located in Cedar Valley Acres Subdivision.

Doug Grimshaw, a licensed surveyor, represented Dean Hyde, the adjacent property owner. Doug explained that the portion of Spring Avenue to be vacated was owned by Mr. Hyde on both sides, and that the vacation would not cut off access to any other owners. He also explained that the proposed vacation was very short and by combining it with the adjacent parcels, Mr. Hyde's use of the parcels would be greatly enhanced.

Alma Adams made a motion to approve the vacation of a portion of Spring Avenue, lying South of Juniper Street and North of Lund Highway, located in Section 5, Township 35 South, Range 11 West, Salt Lake Base and Meridian, also located in Cedar Valley Acres Subdivision. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

COUNTY LOGO DISCUSSION AND DECISION

Maria Twitchell, the Executive Director of the Cedar City/Brian Head Tourism Bureau, led a discussion regarding a new logo for Iron County. Maria explained that professional design companies had been engaged. She presented several designs to the commissioners. The commissioners expressed that they wanted simple color schemes with no pastels and a design that represented well the face of Iron County. No decision was made.

RESOLUTION 2015-2, LIMITING TAX DEFERRAL REQUESTS TO RESIDENCES ONLY

After a brief discussion, Alma Adams made a motion to table for the time being Resolution 2015-2 limiting tax deferral requests to residences only. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

BAILIFF SECURITY CONTRACT FOR THE 5TH DISTRICT COURT

After a brief discussion, Alma Adams made a motion to defer for the time being the bailiff security and perimeter security contract provided by the Iron County Sheriff for the 5th District and Juvenile courts. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION ON 1993 WHEELED COACH SURPLUS AMBULANCE AND POTENTIAL CORRECTIONS TO THE AMBULANCE INVENTORY SOLD TO GOLD CROSS

This item was discussed briefly with no action taken.

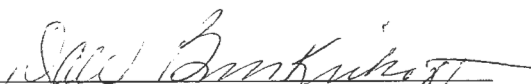
NON-DELEGATED ITEMS

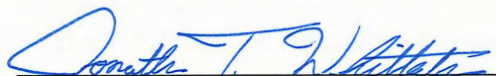
David Miller announced that the new Utah Prairie Dog rules were in place as of May 8.

David Miller presented the names of Brent Hunter, Paul Cozzens, and Spencer Jones to serve on the Central Iron County Water Conservancy District. David noted that this would be the 2nd term for Paul Cozzens and Spencer Jones. He also noted that this would be the 3rd term for Brent Hunter, and that Brent's appointment would be retroactive to February 1, 2015. David Miller made a motion to approve these appointments to the Central Iron County Water Conservancy District as explained. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ADJOURNMENT

David Miller made a motion to adjourn. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

June 8, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 8, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
H. Eugene Adams	County Auditor
Debbie B. Johnson	County Recorder
Nicole B. Rosenberg	County Treasurer

SYNOPSIS

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Maria Twitchell.

INVOCATION

An invocation was offered by Alma Adams.

DEPARTMENTAL REPORTS

Maria Twitchell, Executive Director of the Cedar City Brian Head Tourism Bureau, reported on the following areas: Tourism: Occupancy in Cedar City is 6.3% up from last year; Co-op campaign resulted in an increase of 25,000 skier days which resulted in an estimated \$3.5M economic impact for Iron County; Data: mailings are up 31% over last year; Workloads/caseloads: Maria reported there is a treasure hunt campaign with "At Your Leisure", "KUTV's Road Trippin" with Casey Scott will be in Cedar City on August 8th, KNTV Channel 13's "Las Vegas Summer Fun" program is booked for late June, the Red Bull Germany shooting segment in Brian Head will air across Europe next year; and the Tourism initiatives will be unveiled in late June.

Outdoor Recreation: Maria is looking into a NRA grant for the Shooting Range for improvements; Data: 63 Pavillion reservations for this year resulting in \$1565 in user fees, camping to date has resulted in \$380 in fees; Workloads/caseloads: Work on the Cowboy Action Range continues; Events: Utah Summer Games and Spin Geeks Mountain Bike Race.

Jared Wilson, Information Technology (IT) Director, reported that the FBI audit went well and they were pleased with the department. David Miller, Iron County Commissioner, asked what additional costs were affected with the visit. Jared reported the biggest cost would be additional security on the server which will be around \$14,000 - \$15,000. David stressed the importance of security from hackers and suggested Jared look into "Fire-eye" as a company that has some good insight. Dale Brinkerhoff, Iron County Commissioner, asked how the County quarantine process works. Jared noted the IT department checks for attachments, cross check nationwide, but some do get through.

Sheriff Department, the report was submitted in writing. Sheriff Gower noted the Iron County detectives average about 18 open cases, the Iron County had pulled about 1400 case numbers so far this year. He wrote the department was working to improve "out tactical training," and specialized tactical equipment this year; most of the Patrol Deputies were certified as Emergency Medical Responders; and the Iron County Correctional facility continued to pass all Utah Jail Standard inspections with no problems.

Alma Adams, Iron County Commissioner, reported that he received a request from a landowner who would like to do the Forest Legacy Program, which is where the landowner puts their property into a conservation easement, and if the property sells it would remain whole and could not be subdivided. Alma noted the landowner needs a letter from the county commissioners for recommendation. He commented that he would get the request put on the next commission meeting.

David Miller, Iron County Commissioner, reported the Cedar City Airport had a conflict with the Fish and Game wanting to control the prairie dog issue. David stated the current law states all federal land is under the control of the Department of Wildlife Resources (DWR), but the Cedar City Airport is private land and not under the DWR control. The airport is moving forward, with the approval from Federal Aviation Administration (FAA), with a plan for the prairie dog issue. Alma Adams confirmed that "All private, state, city, and county land is considered non-federal land" as stated in the prairie dog ruling. David Miller noted that there would be a Greater Sage Grouse coordination meeting in Logan on the 18th at 4:00.

PUBLIC COMMENTS

No public comments were offered.

**PUBLIC HEARING TO CONSIDER ZONING ORDINANCE 2015-4 AMENDING
& MODIFYING SECTIONS 17.16.030 TABLES OF USES AND 17.16.020
ZONING DISTRICTS PURPOSE**

Reed Erickson, Iron County Planner, gave a brief introduction stating the planning commission has deliberated on the revisions for several months regarding the RA20 rezoning, due the many public comments the planning commission had received, the recommendation was to eliminate the A20 zone and create the RA20 zone, and change a number of uses to better accommodate the kind of rural living ideas brought forth to the planning commission.

Dale Brinkerhoff, Iron County Commission Chair, declared the Public Hearing open for comments on the said ordinance.

Butch Creamer, stated he lives in the A20 zoning area and is opposed to the change. Butch reported there were about 400 in attendance at the Dec.8, 2014 meeting and out of those there were only 20 for the change. He continued saying the residents were told there was an opt-out period from Dec.9th-Dec.18th, many residents signed a petition opposing the change, only to find in March the opt-out no longer existed, feeling they have been misled and misrepresented. Butch stated in January he went to the planning office to ask for the general plan outline and none could be found, and now there is a question on how the residents are supposed to find out what is happening. Butch noted he has been a prime writer on two different planning processes in Arizona and a co-writer on three in New Mexico and the tier system in Iron County is unbelievable and is not well defined. He feels the landowners have not been dealt with fairly and need to be included in the process. David Miller stressed that a process exists that is followed and is not flawed. As the process proceeded the need for more uses is why the RA20 zone was established. The purpose was to create a rural agricultural zone and applying it as a tool in the planning process. Butch Creamer pointed out that the state says "the responsibility of land management is to protect and preserve agriculture uses." He urged the commissioner's to not restrict what people can do on A20, or assume something can't be done. Reed Erickson clarified that there are only 2 uses taken out of A20, those being hotels & motels. The "opt-out" was gone because the process was completely started over. When the changes were made to A20 it opened up uses that now could occur in A20, and the RA20 zone was created to minimize the uses that are in the A20 zone, and to focus more on a rural agricultural zone. Butch Creamer questioned the lack of information given to persons buying property not being told the property next to theirs is an agricultural area. Reed Erikson noted it was an oversight and the subscript will be added. There is an Ordinance 205 that delineates the uses in each zone, and there is a tier map available that describes the tier 2 boundary. Butch Creamer noted he is still concerned with the lack of definition of the tiers. Reed Erickson affirmed that the ordinance is clear, and the next step will be the defining uses of RA20.

Dale Brinkerhoff, Iron County Commission Chair, declared the public hearing closed.

David Miller, Iron County Commissioner, made a motion to approve the Zoning Ordinance 2015-4 amending and modifying sections 17.16.030 tables of uses and 17.16.020 zoning districts purpose. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

PRESENT THE RESULTS OF THE TAX SALE HELD MAY 28, 2015 FOR REVIEW, ADJUSTMENTS AND APPROVAL

Christene Lowder, Iron County Chief Deputy Auditor, reported the tax sale started with 206 properties, 47 were redeemed, and 159 went up for sale, 49 of those did not sell and were struck off to the county. There were 107 bidders registered on line and 72 of those showed up for the tax sale. \$317,056.86 funds collected, \$81,188.50 amount in taxes late fees and penalties collected that is kept by the county, and a surplus of \$203,168.36 held until November of 2016.

Alma Adams, Iron County Commissioner, made a motion to approve the results of the tax sale held May 28, 2015 as presented. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

CONVENE AS THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (ICCD&RA)

Dale Brinkerhoff, Iron County Commission Chair, declared the convening of the ICCD&RA.

CONSIDER ENGAGEMENT LETTER TO RETAIN SMITH HARTVIGSEN, PLLC TO PROVIDE LEGAL ASSISTANCE AND REPRESENTATION TO THE ICCD&RA IN REGARDS TO CREATING FIVE NEW COMMUNITY DEVELOPMENT PROJECT AREAS, REFERRED TO RESPECTIVELY AS: GRANITE MOUNTAIN WEST, GRANITE MOUNTAIN EAST, IRON SPRINGS SOLAR, FREEMONT SOLAR, AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS

Cameron Christiansen, Economic Development Office, presented the engagement letter.

David Miller, Iron County Commissioner, made a motion to approve engagement letter to retain Smith Hartvigsen, PLLC to provide legal assistance and representation to the ICCD&RA in regards to creating five new community development project areas, referred to respectively as: Granite Mountain West, Granite Mountain East, Iron Springs Solar, Freemont Solar, and Rush Lake Solar Community Development Project Areas. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

CONSIDER ENGAGEMENT LETTER TO RETAIN SMITH HARTVIGSEN, PLLC TO PROVIDE LEGAL ASSISTANCE AND REPRESENTATION TO THE ICCD&RA IN REGARDS TO THE CREATION OF A NEW COMMUNITY DEVELOPMENT PROJECT AREA ENCOMPASSING THE CURRENTLY INACTIVE IRON MINE OPERATION WEST OF CEDAR CITY

Cameron Christiansen, Economic Development Office, presented the engagement letter.

David Miller made a motion to approve the engagement letter to retain Smith Hartvigsen, PLLC to provide legal assistance and representation to the ICCD&RA in regards to the creation of a new community development project area encompassing the currently inactive iron mine operation west of Cedar City. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

**CONSIDERATION FOR ADOPTION OF ICCD&RA RESOLUTION 2015-2
AUTHORIZING THE PREPARATION OF A DRAFT COMMUNITY
DEVELOPMENT PROJECT PLAN AREA AND RELATED MATTERS.
ICCD&RA RESOLUTION 2015-2 WILL BE A RESOLUTION DESIGNATING
THE PROPOSED FREEMONT SOLAR, GRANITE MOUNTAIN EAST
SOLAR, GRANITE MOUNTAIN WEST SOLAR, IRON SPRINGS SOLAR, AND
RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT**

Cameron Christiansen, Economic Development Office, presented the preparation of draft.

David Miller made a motion to approve the adoption of ICCD&RA Resolution 2015-2 authorizing the preparation of a draft community development project plan area and related matters. ICCD&RA Resolution 2015-2 will be a resolution designating the proposed Fremont Solar, Granite Mountain East Solar, Granite Mountain West Solar, Iron Springs solar, and Rush Lake Solar Community Development Project areas. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

**IRON COUNTY COMMUNITY DEVELOPMENT AND
RENEWAL AGENCY RESOLUTION 2015-2**

A RESOLUTION DESIGNATING THE PROPOSED FREMONT SOLAR, GRANITE MOUNTAIN EAST SOLAR, GRANITE MOUNTAIN WEST SOLAR, IRON SPRINGS SOLAR, AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS, AUTHORIZING THE PREPARATION OF DRAFT COMMUNITY DEVELOPMENT PROJECT AREA PLANS AND BUDGETS, AND AUTHORIZING AND DIRECTING ALL NECESSARY ACTION BY THE AGENCY, STAFF, AND COUNSEL.

WHEREAS, Iron County, Utah (the “County”), created the Iron County Community Development and Renewal Agency (the “Agency”) pursuant to the provisions of, and the Agency continues to operate under, Title 17C of the Utah Code, the Limited Purpose Local Government Entities-Community Development and Renewal Agencies Act (the “Act”) for the purposes of conducting urban renewal, economic development, and community development activities within the County, as contemplated by the Act; and

WHEREAS, the Agency, having made a preliminary investigation and conducted initial studies and inquiries, desires now to conduct community development activities in the approximate areas depicted on the maps attached hereto as Exhibits A, B, C, D and E and incorporated herein by this reference (the “Proposed Project Areas”), pursuant to UCA § 17C-4-102(1)(a); and

WHEREAS, the Agency desires to begin the process of adopting project area plans for the Proposed Project Areas by adopting this Resolution authorizing the preparation of draft Project Area Plans, pursuant to UCA § 17C-4-101(1).

THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AS FOLLOWS:

1. That the Agency hereby designates the Proposed Project Areas as Fremont Solar, Granite Mountain East Solar, Granite Mountain West Solar, Iron Springs Solar, and Rush Lake Solar Community Development Project Areas, the approximate proposed

boundaries, which are subject to change by the Agency, of which are depicted on the maps attached hereto as **Exhibits A, B, C, D, and E**, respectively;

2. That the Agency counsel, Smith Hartvigsen, PLLC, and staff and hired consultants, be and are hereby authorized and directed:

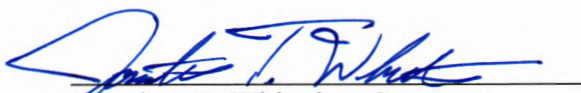
- a. to prepare draft Community Development Project Area Plans as required by UCA § 17C-4-102(1)(a);
- b. to prepare, if necessary, draft Community Development Project Area Budgets as provided in UCA § 17C-4-204(1);
- c. to undertake all such actions as may be required by the Act, or which may otherwise be necessary or desirable to the successful establishment of the proposed community development project areas, including, without limitation, the negotiation of agreements with taxing entities and participants, the preparation for all necessary hearings and the preparation, publication, and/or mailing of statutorily required notices; and

3. That this Resolution shall take effect upon adoption.

APPROVED AND ADOPTED on the 8th day of June, 2015.

Dale Brinkerhoff, Chair
*Iron County Community
Development and Renewal
Agency*

Attest:


Jonathan T. Whittaker, Secretary



RECONVENE AS THE IRON COUNTY COMMISSION

Dale Brinkerhoff, Iron County Commission Chair, declared the reconvening of the Iron County Commission

RESOLUTION 2015-2 LIMITING TAX REFERRAL REQUESTS TO RESIDENTIAL ONLY

David Miller noted he did not feel comfortable leaving out commercial businesses because there are occasions of compelling needs that could be worked on together, and this would put the commission in a “boxed in” position. Alma Adams asked Mike Edwards if a business called and asked for a deferral and this resolution was in place could special circumstances be looked at. Mike explained an amendment would have to be made to the resolution. Jon Whittaker explained that Iron County has a Deferral Application Process & Policy in place, and that the problem is not enforcing all owners to follow that process. David Miller made a motion to table the Resolution 2015-2 indefinitely, meaning the commission could bring this resolution up again, but without a set date. Nicole Rosenberg, Iron County Treasurer, stressed the importance to be cautious when property owners have a lien holder. She noted the county needs to remove themselves from the situation by not giving a deferral, because then the lien holder, or

whoever else, is forced to pay the tax. David expressed that the county commission is not in support of deferring commercial property, but forming a resolution that binds the commission is not good practice. Alma Adams confirmed he felt the commission should only give deferrals to residential only and commercial businesses should be done in the private sector. He stated he would not second the motion.

David Miller made a motion to table indefinitely Resolution 2015-2 Limiting Tax Deferral Requests. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; Alma Adams, Nay; David Miller, Aye.

COUNTY LOGO DISCUSSION AND DECISION

Maria Twitchell reported that the requested adjustments had been made to the proposed Iron County logo:



David Miller made a motion to approve the color logo, to recommend a style guide, and to implement the logo in 2016. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

PERSONNEL

Leslie Bishop presented the new hire of Maria Parker, as a Full-Time Justice Court Clerk as a backfill position. In Corrections, Leslie Bishop also presented a 5% pay increase per the Deputy Retention Policy for Pierce Robertson who had completed his Bachelor of Science. Alma Adams made a motion to approve the new hire of Maria Parker, and the 5% pay increase for Pierce Robertson as presented. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

Leslie Bishop requested the approval of Rates for Utah Retirement System-fiscal year from July, 2015 to June, 2016. David Miller made a motion to approve the Rates for Utah Retirement System-fiscal year from July, 2015 to June, 2016. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

RESOLUTION 2015-3 SUPPORTING THE TRANSFER OF PUBLIC LANDS TO WILLING STATES AND AFFIRMING RIGHTS OF ASSOCIATION

David Miller, Iron County Commissioner, informed the commission that there are groups taking upon themselves to propagate misinformation, and he feels Resolution 2015-3 would show where Iron County stands on the issue. Dave noted that there was a group out of Washington DC organized under the name "Campaign for Accountability" sought to discredit Ken Ivory.

David Miller, Iron County commissioner, made a motion to approve Resolution 2015-3 supporting the transfer of public lands to willing states and affirmation rights of association. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

IRON COUNTY RESOLUTION 2015-3

A RESOLUTION SUPPORTING THE TRANSFER OF PUBLIC LANDS TO WILLING STATES AND AFFIRMING COUNTY'S RIGHTS OF ASSOCIATION

Whereas, since it is an appropriate and common lawful practice for counties to dedicate funds and leverage resources by uniting with other counties or organizations to protect and promote the interests of the county and its citizens; and

Whereas, many counties containing federally controlled public lands are profoundly impacted by declining access, decreasing environmental health, and depressed economic productivity on a high percentage of federally managed public lands within their jurisdiction; and

Whereas, many counties and their citizens have devoted many years of countless hours in an effort to work with federal land management agencies to improve conditions on federally managed public lands but have seen little to no progress; and

Whereas, the federal government has proven itself unresponsive, unaccountable, unwilling, or unable to make the necessary corrections to improve access, health, and productivity on the public lands; and

Whereas, the U.S. Constitution in Article IV, Section 3, Clause 2 delegates to Congress "the power to dispose of" (i.e. sell, transfer or grant) territorial lands and other property — NOT to keep them forever; and

Whereas, history, past practice with the majority of public lands in states east of the Rocky Mountains, and the statehood enabling acts affirm the federal government was only to hold public lands in trust until the lands were turned over to their respective states; and

Whereas, a recent, credible law review article and an economic study lend support to the legal arguments and economic feasibility favoring the transfer of public lands to the states; and

Whereas, the United States has transferred large tracts of public lands to individual States on numerous occasions in the past and today states continue to profitably manage millions of acres of these public lands; and

Whereas, our state will manage the public lands currently under federal control (1) more responsibly, (2) with greater accountability to the people, and (3) with greater willingness to work with affected counties—thus ensuring continued public access, reduced invasive wildlife and wildfire threats, environmental protections, and compatible livelihoods; and

Whereas, the National Association of Counties supports the transfer of public lands to willing states; and

Whereas, the American Lands Council ("ALC") was created by and is governed by county commissioners; and

Whereas, the ALC files all required public financial disclosures; and

Whereas, the ALC is a leading organization in the country in unifying counties, educating elected officials, and advocating for state and national legislation that seeking the transfer of federally managed public lands to willing states; and

Whereas, recent disinformation promulgated by non-profit organizations in conjunction with certain media outlets including the Salt Lake Tribune which have attempted to minimize the importance of counties, consciously and proactively, supporting ALC and the importance of transferring public lands on their own merits which Iron County has decisively done through the legal budget process including public hearings; and

Whereas, Iron County further reiterates its concerns of ongoing interference by organizations from outside of Iron County who collude with federal agencies and/or through various means meddles with the representational form of government guaranteed by both the US and Utah constitutions; and

Whereas, counties that choose to join ALC do so in an open and public meetings by the power of their authority and in accordance with all federal, state, and local laws; and

Whereas, the ALC Board of Directors hired leading expert Ken Ivory to serve as President of ALC; and

NOW, THEREFORE, BE IT RESOLVED, by the legislative body of Iron County, Utah that:

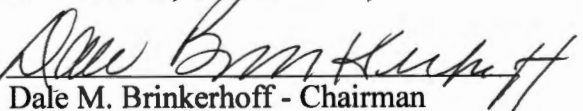
We hereby affirm our right and responsibility to be involved in all matters impacting public health, safety, and welfare; and the right to leverage our efforts with others when such associations are joined in an open, transparent, and lawful manner; and

FURTHERMORE, BE IT RESOLVED that we support the State of Utah and other willing states in their efforts to regain control of their federally managed public lands; and

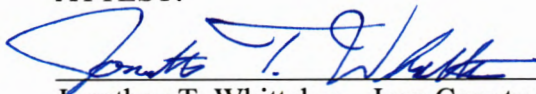
FURTHERMORE, BE IT RESOLVED that we support the American Lands Council and its steadfast efforts to effect better public access, better environmental health, and better economic productivity through lawfully pursuing state control of federally managed public lands.

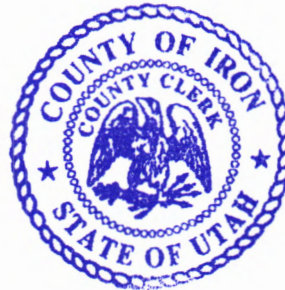
BOARD OF COUNTY COMMISSIONERS

IRON COUNTY, UTAH

By: 
Dale M. Brinkerhoff - Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



Alma L. Adams _Aye_
Dale M. Brinkerhoff _Aye_
David J. Miller _Aye_

NON-DELEGATED ITEMS

Alma Adams, Iron County Commissioner, made a motion to approve the Board reappointment of Brandon Hunter in Special Service District #3. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

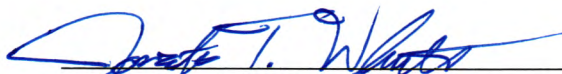
DISCUSSION OF LEASE RENEWAL FOR FIFTH DISTRICT JUVENILE COURTS AND FIFTH DISTRICT GUARDIAN AD LITEM WITH THE STATE OF UTAH, ADMINISTRATIVE OFFICE OF THE COURTS, CONTRACT NO.05-1997, AMENDMENT NO.2

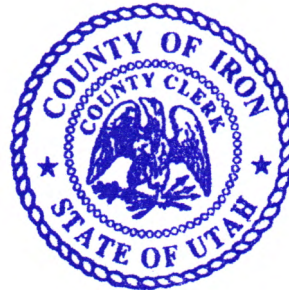
David Miller, Iron County Commissioner, made a motion that the lease renewal be tabled until the next commission meeting. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING
June 22, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 22, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
H. Eugene Adams	County Auditor
Leslie Bishop	County Human Resource Director
Deborah Johnson	County Recorder
Nicole B. Rosenberg	County Treasurer

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

INVOCATION

An invocation was offered by Bruce Anderson.

DEPARTMENTAL REPORTS

Steve Platt, Iron County Engineer, reported the budget was on track. RTAG would be meeting to discuss issues with the alignment on the middle and north portions of the belt route. The Bureau of Land Management (BLM) would be attending the meeting so they would be aware of the route and the areas that would impact them. There was a new alignment at the top of Cedar Highlands so the right-of-way issue could be taken care of. Steve reported that they anticipated doing two miles of full depth reclamation by Dutch Dairy. Chip sealing would be completed on the Brewery this month. The Utah Department of Transportation (UDOT) no longer wanted to be responsible for the Local Corridor Preservation Fund and dispersed the funds back to the counties. Iron County received approximately \$2.8M. Rebecca Fenn had scanned all of the survey files in the Engineer’s Office which would greatly help the Surveyors. The Senior Center parking lot would be resealed between July 20th -24th. There was a new Shooting Range committee and they would be working on improvements to the range. Steve reported that road improvements would begin at the Parowan Valley Solar Farm in August at their expense.

Bruce Anderson, Iron County Landfill Supervisor, reported that the budget was on track. The annual State Inspection took two days. He had not received the results but felt it was a positive visit. The transfer station located by the scale house was completed. He added a new parking lot by the scale house so customers could park while the trucks were going in and out. Bruce reported that he spent three to four days with Ken Richards from Information Technology (TI) to get a GPS on all the SW-2 cans and mapped each can. This would help to be more

efficient on how many homes were using the large cans. He reported that they helped grade out the Shooting Range for the Utah Summer Games. The metal recycle pile was getting large but there was anticipation that the price would go up in the fall.

Neil Forsyth, Iron County Roads Supervisor, was unable to attend. Alma Adam read his report: “Neil reported that they would be chip sealing for the next two weeks. The Yankee Road would be chipped on the 30th and 1st of July. Notice had been given to the public through the Iron County website. The milling on Summit Mountain went well.”

Chad Nay, Iron County Building & Zoning Administrator, was unable to attend due to medical issues. David Miller read his report: “Chad reported that land development interest seems to be increasing. There had been an increase of small proposed subdivisions and Lot line adjustments. The streamline process for the public had taken unnecessary pressure off the Planning Commission. Staff and Planning Commission continued to work the process with the RA Zone. Public input through the process had been greatly appreciated. More planning and ground trufing was being done on the proposed trail system. Companies continued to explore additional Solar Power projects. Presently there were 14 projects with land use permits. Maintenance work was falling behind. Lester Ross had helped relieve some of the Building Inspection duties, but by utilizing him in that area it left a large void in maintenance.”

David Miller, Iron County Commissioner, reported that he attended the Utah Associations of Counties (UAC) and part of the meeting was substituted for an emergency meeting that was held to address a policy regarding what steps to follow if an elected official became involved in criminal activity. David reported that he also attended a meeting with John Harga with Public Lands Policy Coordination Office regarding the Greater Sage Grouse. David reported that UAC also talked about a “red & green Map” regarding areas that were sensitive to fires in counties which would benefit Iron County.

APPROVAL OF MINUTES

David Miller made a motion to approve the minutes of the March 9, 2015 Iron County Commission meeting, subject to one correction regarding the spelling of Deputy Twitchell’s name. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PUBLIC COMMENTS

Destry Griffiths, a citizen of Iron County, reported that the RSL Resort was destroying Dry Lakes Road. Years ago the Iron County Road Department spent thousands of dollars improving the road. Destry asked why the county was not making sure the road was taken care of. Alma Adams reported that Neil Forsyth, Iron County Road Department, was going to work on the road in May but it was too wet at the time. They were now able to service the roads. Destry explained that it was his understanding that the Forest Service gave Iron County \$1M to maintain the road from the start of Parowan Canyon to the Yankee Meadow. Steve Platt reported

that the Forest Service did give Iron County the \$1M and over three years there was a bridge built and 4 miles of the road, from 143 to the end of the pavement, had been paved. There was a consistent width of 20 feet with new pavement. The paving of the road was done as far as the \$1M would allow. There was an additional \$50K given that was used for Chip Sealing to preserve the pavement. Alma Adams stated that the road sealing was decided and done before he was an Iron County Commissioner. Destry closed by requesting something be done with the speed limit on Dry Lakes Road.

APPROVAL OF THE FINAL PLAT OF PEAK VIEW SUBDIVISION, PHASE 1.
ASSESSOR PARCEL #D-0597-0004-000, ACCOUNT #135761

David Miller explained that he was asked by Chad Nay to report on the item. David reported that the final plat had been presented and approved by the Planning Commission. He noted that all the requirements had been met and was now before the Iron County Commission for approval/disapproval. David Miller made a motion to approve the final plat of Peak View Subdivision, Phase 1, APN: D-0597-0004-000, Account #135761 as requested by Russell Reber. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION & ACTION FOR INCREASED SUPPORT OF THE JUVENILE PUBLIC DEFENDERS

Dale Brinkerhoff explained that they had received a letter from Judge Higbee in the Fifth District Court. His concern was regarding US Senate Bill 167 which significantly changed the required coverage for the Juvenile Defense Attorneys in the lengthy cases. In summary it “prohibits juveniles from waving their attorney for all felony level offences and also requires heightened discussion and greater scrutiny from the court before juveniles could waive their right for an attorney on misdemeanor level offences. Historically 80 percent of juveniles waive their right to an attorney. SB167 will reduce the number of juveniles who waive their attorney thus increasing demand on the Public Defender. The number of cases of abuse/neglect handled by the parent attorneys had a 27 percent increase from last year.” Judge Higbee continued by saying “that effective Parental/Public Defenders are crucial to administration of justice in Iron County. These attorneys do great work and from my perspective justice requires that they be given the supporting tool to be able to do their job well.” Dale Brinkerhoff suggested they look at the work load and return it to the Senate to ask for SB167 be modified or rescinded. Mick Edwards reported that he met with Judge Higbee to discuss SB167. He said that SB167 would make the workload larger for defenders. Mike reported that over 60-65 percent of cases that they handled with juveniles were drug related. He did note that drug offences would soon be moved to misdemeanors which would help equalize the workload. The focus was to rehabilitate the juveniles not to incarcerate them. David Miller suggested they meet with the administrator of the court to bring forth their data for discussion to help with a decision. David Miller made a motion to request that the Juvenile Justice Public Defenders meet with Lori, the Administrator of the

Court, and Leslie Bishop (HR) to formulate what data was necessary to understand what was happening at the present compared prior SB167. When that was completed, bring the information before the commissioners. No action/decision would be made until after the information was presented. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION AND APPROVAL OF THE LEASE RENEWAL FOR FIFTH DISTRICT JUVENILE COURTS AND FIFTH DISTRICT GUARDIAN AD LITEM WITH THE STATE OF UTAH, ADMINISTRATIVE OFFICE OF THE COURTS, CONTRACT NO. 05-1997, AMENDMENT NO.2.

Jon Whittaker reported that the renewal was negotiated at a 7.5 increase. Alma Adams made a motion to approve the lease renewal for Fifth District Juvenile Courts and Fifth District Guardian Ad Litem with the State of Utah, Administrative Office of the Courts, Contract No. 05-1997, Amendment No. 2. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

CLOUD SEEDING DISCUSSION

Dale Brinkerhoff explained that this was just a discussion to affirm that Iron County was/was not on board with the cloud seeding. Alma Adams noted that most of the counties were on board with the cloud seeding and it did help when there were clouds. Dale Brinkerhoff asked Gene Adams, Iron County Auditor, to check if the cloud seeding was budgeted. Alma Adams suggested that they ask Bryce Jackson to come before the commission and discuss the pros of cloud seeding.

DISCUSSION OF COALITION OF COUNTIES

David Miller explained that Idaho County Commissioner Jim Chmelik presented information in Washington DC regarding the impact of the forests in their county. Iron County had over 2 billion board feet of harvestable timber that burned. The Forest Service could not hand out leases as a result of law suits from environmental groups. We, as counties, cannot sit by and allow the environmental groups continue to hold the counties in a negative impact. One challenge was that smaller counties do not get the same representation. Mr. Chmelik suggested putting together a network of counties to form a coalition that have similar concerns to help bring a better case for the smaller counties. Dale Brinkerhoff suggested that the issue be brought to the Five Counties to help with costs and bring in other small counties.

RESOLUTION 2015-4 ADOPTING CERTIFIED TAX RATE FOR 2015.

Gene Adams presented the estimated Certified Tax Rate of .002067 for 2015. The rate went down from .002230 in 2014. The deadline for the municipal cities to turn in their tax rates was today. Gene reported that he was still waiting for the multicounty assessments from the state to finalize the certified rate. Dale Brinkerhoff suggested the decision be put on hold until after

lunch so Gene could call the state for their report. Cindy Bulloch explained that the rate used to be the State Rate and now was the County Rate. Cindy asked if the deadline was today. Gene said he thought so.

RESOLUTION 2015-5 SUPPORTING A CONSTITUTIONAL AMENDMENT THAT THE BODY OF THE UTAH STATE SENATE WOULD BE COMPRISED OF ONE SENATOR FROM AND REPRESENTING EACH COUNTY IN UTAH.

Dale Brinkerhoff explained that Bruce Adams of San Juan County was proposing that there be at least one Senator from each county so that there was a more fair representation. Alma Adams made a motion to approve Resolution 2015-5 supporting a Constitutional Amendment that the body of the Utah State Senate would comprise of one Senator from and representing each county in Utah. David Miller made a motion to amend the motion to include the wording change of “at least one Senator.” Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

IRON COUNTY RESOLUTION 2015-5

A RESOLUTION OF IRON COUNTY, UTAH, APPROVING SUPPORT FOR AN AMENDMENT TO THE UTAH CONSTITUTION THAT THE BODY OF THE UTAH STATE SENATE BE COMPRISED OF ONE SENATOR FROM AND REPRESENTING EACH COUNTY IN UTAH

WHEREAS, the United States Constitution in Art. I, Sec. 1, grants and vests all legislative powers in a Congress of the United States, which shall consist of a Senate and House of Representatives.

WHEREAS, the United States Constitution in Article I, Sec. 2, states that the House of Representatives shall be composed of members chosen every second year by the people of the several states. These “representatives ... shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other Persons.”

WHEREAS, the United States Constitution in Article I, Sec. 3, states that Senate of the United States shall be composed of two Senators from each state.

WHEREAS, in 1894 an Act of the Congress of the United States named the Utah Enabling Act authorized the territory of Utah to ratify a Constitution, form a state government and to be admitted into the Union.

WHEREAS, the State of Utah Constitution, as passed in 1896, in Article VI, Sec. 1, provided that the Legislative power of the State shall be vested in a Senate and House of Representatives, which shall be designated The Legislature of the State of Utah.

WHEREAS, the State of Utah Constitution (1896) in Article VI, Sec. 3, provided that members of the House of Representatives ... shall be chosen by the qualified electors of the respective representative districts, on the first Tuesday after the first Monday in November, 1896, and biennially thereafter. Their term of office shall be two years, from the first day of January next after their election.

WHEREAS, the State of Utah Constitution (1896) in Article VI, Sec. 3, provided that the senators shall be chosen by the qualified electors of the respective senatorial districts, at the same times and places as members of the House of Representatives, and their term of office shall be four years from the first day of January next after their election.

WHEREAS, at present, there are twenty-nine (29) members of the 61st Utah State Senate. Twelve (12) of these senators represent Salt Lake County, four (4) represent Utah County, five (5) represent parts of Davis County, the remaining eight (8) represent the remaining 26 counties.

WHEREAS, many of the rural counties, some of which are listed above, are burdened by a high percentage of federal and state land ownership with very little private property ownership.

WHEREAS, Iron County comprises 3,301.34 square miles, with 1,902.48 square miles of federal lands, 217.11 square miles of state lands and 3.91 square miles of tribal lands, leaving 1,177.84 square miles of private land. In other words, Iron County is 64% public lands and only 36% private ownership.

WHEREAS, in Iron County many of the 64% public lands are desired by governmental and non-governmental groups for enhanced legal protections such as Wilderness, Wild and Scenic Rivers, National Conservation Areas, National Recreation Areas, Areas of Critical Environmental Concern etc. that will limit the public's access and uses on these lands; and

WHEREAS, many rural counties in Utah are under a very real threat to have the high percentage of public lands in their county managed in a way that is not supported by the local population. However, these counties lack the representation within the Utah State Senate to effectively protect or attempt to defend their interests.

NOW, THEREFORE, the Iron County Board of Commissioners proposes an amendment to the Utah Constitution, which would follow the federal model, that the Utah State Senate be comprised of at least one (1) senator from and representing each county within the state.

DATED this 22nd day of June, 2015

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____
Dale M. Brinkerhoff
Commission Chair

ATTEST:

Jonathan T. Whittaker
Iron County Clerk

Voting:

Alma L. Adams _____
Dale M. Brinkerhoff _____
David J. Miller _____

LETTER REGARDING RANDALL ADAMS CO-OP VALLEY AREA

Alma Adams explained that the Adams Family owned property in the Co-op Valley Area and was interested in putting it into a Conservation Easement perpetuity. They would receive funds for the development rights and the property would never be developed. The easement would stay as a grazing ground area/recreation property. The family was requesting a letter of support from the commission. Alma Adams made a motion to approve a letter of recommendation for the Randall Adams Co-op Valley Area to receive funds from the LeRay McAllister Critical Land Conservation Fund. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVE THE ANNUAL COOPERATIVE AGREEMENT WITH USU

Item moved to later in the meeting.

REMOVE CENTRAL ASSESS TAXES, PENALTY & INTEREST FOR YEARS 2010-2013. KOLOB CANYONS AIR SERVICE PER RECOMMENDATION OF STATE TAX COMMISSION.

Nicole Rosenberg, Iron County Treasurer, reported that the State Tax Commission recommended abating the Central Assess Taxes, penalty & interest for the years 2010-2013 for

Kolob Canyons Air Service because they should never have been assessed. Nicole reported that the amount was \$93,153.23. David Miller made a motion to abate the Central Assessed Taxes, penalty & interest for years 2010-2013 for Kolob Canyons Air Service as recommended by the Utah State Tax Commission in the amount of \$93,153.23. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PERSONNEL

Leslie Bishop, Iron County Human Resource (HR) Director, presented new hire Lisa Lowden as a Part-time Justice Court Clerk. This was a backfill of a vacant position. Leslie presented new hire Susan Carter as a Full-time Secretary in the Attorney's Office at the hourly rate of \$13.92. This was a backfill of a vacant position. David Miller made a motion to approve new hire Lisa Lowden as a Part-time Justice Court Clerk and new hire Susan Carter as a Full-time Secretary at the hourly rate of \$13.92 in the Attorneys. Both were a backfill of a vacant position. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie presented David Pangan, Iron County Sheriff Department, for a pay increase per the deputy retention policy as he had completed his 6 month of employment and the Field Training Officer (FTO). Leslie explained that there was a request for back pay beginning April 6th. She noted that policy states when a promotion comes forward the employee and the backing of the Department Head to present her with the documentation in a timely fashion, then the promotion would be presented at the next commission meeting. Leslie reported that she did not receive the document for David until June 12, 2015. Leslie presented Matthew Fox, Iron County Sheriff Department, for a pay increase per the deputy retention policy as he had completed his 1 year of employment and the FTO. Matthew's documentation had been submitted on time. Alma Adams made a motion to approve David Pangan and Matthew in the Sheriff Department for pay increases per the deputy retention policy, effective date June 21, 2015. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

CLOUD SEEDING DISCUSSION

Gene Adams reported that there was \$9,000 paid for 2015. Alma Adams again suggested asking Bryce Jackson to come before the commission and discuss the pros of cloud seeding before making a decision. Dale Brinkerhoff suggested they vote to discontinue the funding in the future. David Miller suggested tabling the issue until they hear from Bryce Jackson at the next commission meeting. Then an action on the cloud seeding could be addressed at the following commission meeting.

CONTINUATION OF RESOLUTION 2015-4 ADOPTING CERTIFIED TAX RATE FOR 2015

Alma Adams made a motion to approve the Certified Tax Rate as presented by Gene Adams contingent on the final rate given from the state, given the right as a commission to resend the vote if needed. David Miller suggested sending a letter to the state to have their rate before a decision was made. Alma Adams withdrew his motion. David Miller made a motion to wait on approving the Certified Tax Rate until they had the exact numbers from the state. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVE THE ANNUAL COOPERATIVE AGREEMENT WITH USU

Dale Brinkerhoff made a motion to approve the annual Cooperative Agreement with USU from \$157,074 in 2014 to \$152,834 for 2015. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

NON-DELEGATED ITEMS

No non-delegated items were discussed.

ADJOURNMENT

Dale Brinkerhoff, Iron County Commission Chair, made a motion to adjourn.

Signed: Dale M. Brinkerhoff, Chairman

Attest: Jonathan T. Whittaker, County Clerk

IRON COUNTY COMMISSION MEETING
August 10, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. August 10, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
Alma L. Adams	Commissioner
Scott Garrett	County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Deborah Johnson	County Recorder
Gene Adams	County Auditor
Lori Starr	Justice Court Administrator
Leslie Bishop	Human Resources Director

SYNOPSIS

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Lori Starr.

INVOCATION

An invocation was offered by Bret Allred.

DEPARTMENTAL REPORTS

Scott Garrett, Iron County Attorney, reported that the Attorney's Office is on budget. Felony drug offenses increased, with no additional homicides. There were nine murder or attempted murder cases pending. Officer Tyler Urask was cleared in the officer involved shooting and is back to work. The incident was deemed justified. The Critical Incident Task Force investigated, as the law now states, departments can no longer investigate Officer involved shootings within their own department. Scott said he has not heard anything from the Justice

Reinvestment Initiative (JRI) and is trying to keep apprised to ensure the grant gets written and sent in. This program is based on treating rather than incarcerating drug abusers.

Lori Starr, Justice Court Administrator, reported that overall there is an improvement in the atmosphere in the Justice Court. Lori stated she is working on clarifying office policy and procedure and adding more structure. The Justice Court judges have decided to refer outstanding collections to the Office of State Collections beginning with 2005 debts. Revenue reports have been balanced thanks to the help of Melanie Hall from the Treasures Office. Lori reported there are 7 full time clerks in the office.

Brett Allred, Corrections Captain, reported he is 50% or below on budget. Revenue is steady. Brett noted that 20 Federal inmates were housed in the jail at that time. A new counter and computer station was added in the booking station. He reported that all of his medical staff train at the Corrections Academy and are fully certified. Two deputies had just graduated from the Academy, with three beginning the 10 week course. There have been 957 hours of in-house training at the jail. Bret stated that the biggest concern in the future was that the female inmate population would increase and the facilities were not built to accommodate them. Approximately one quarter of the inmates are female.

David Miller, Iron County Commissioner, mentioned that the water line supply at Woods Ranch has a breach somewhere, and there may have to be an emergency water line replacement. There was no water in the tank currently. Brian Head had asked for some assistance with building inspection. David informed the commission that there is a Wild Horse Advisory Committee meeting in Oklahoma in September and being on that committee, he would attend.

Alma Adams, Iron County Commissioner, reported that he attended a Workforce Services workshop at the Rural Summit meeting. Alma noted that information is available on the web site: www.utah.gov/services. Alma reported attending the Scatec Solar tour with Governor Herbert, and commented that it was one of the best investments for Iron County. Gina Genovese of the Bureau of Land Management (BLM) has been assigned to the Green Lakes realignment to move progress forward.

Dale Brinkerhoff, Iron County Commissioner, reported that he met in Tropic with the US Forest Service to discuss opening the trail from Woods Ranch to Navajo Lake to motorized travel.

Cindy Bulloch, Iron County Assessor, discussed a solar farm meeting with the State Tax Commission on August 16th. Cindy was questionable on the counties attending. Dale Brinkerhoff suggested the main five counties: Iron, Beaver, Kane, Washington, and Garfield should attend. David Miller suggested including Piute County. Cindy reported she attending a Personal Property class in Salt Lake City dealing with the transfer of large equipment and payment of personal property tax. This brought up concerns with the Solar Companies paying taxes on their equipment. During that meeting, the delinquent personal property taxes on mobile homes were also discussed. In many cases, delinquent taxes are higher than the worth of the mobile home. Cindy expressed her desire to address this issue. Board of Equalization (BOE) was scheduled and the Assessor's office had been receiving an increasing number of irate calls. David Miller expressed his concern. Dale Brinkerhoff suggested it might be appropriate for a sheriff deputy to be present at BOE.

PUBLIC COMMENTS

No public comments were offered.

DEPARTMENT OF AGRICULTURE CONTRACT FOR PREDATOR DAMAGE CONTROL FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2016.

Jon Whittaker presented the Department of Agriculture contract for predator damage control in the amount of \$11,500 for the period of July 1, 2015 through June 30, 2016. Alma Adams made a motion to approve the Department of Agriculture Contract for predator damage control for the period of July 1, 2015 through June 30, 2016 in the amount of \$11,500. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

PERSONNEL

Leslie Bishop, HR Director, presented the name of Jared Mitchell as a new hire in the Corrections department replacing Jeff Sorensen, effective Aug.17, 2015; Brandon Garrett, as a new hire as full time Justice Court Clerk replacing Michelle Madson, effective Aug. 31, 2015; and Ashley Stagg, as a new hire as part time Justice Court Clerk replacing Lisa Lowden, effective Aug.17, 2015. David Miller made a motion to approve Jared Mitchell as a new hire in the Corrections department replacing Jeff Sorensen, effective Aug.17, 2015; Brandon Garrett, as a new hire as full time Justice Court Clerk replacing Michelle Madson, effective Aug. 31, 2015; and Ashley Stagg, as a new hire as part time Justice Court Clerk replacing Lisa Lowden, effective Aug.17, 2015. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

DISCUSSION AND ACTION REGARDING PARTICIPATION IN UAC EMPLOYER ADVOCATE PROGRAM.

Leslie Bishop, HR Director, explained Utah Association of Counties (UAC) has an employee advocate program that helps counties throughout the state with unemployment claims. The quote to use them is around \$1800.00 and is based on employment. Under the employee advocate program, UAC would handle each step in the process of filing unemployment claims. David Miller made a motion to approve participation in the UAC Employer Advocate Program with a budget adjustment of \$1,000 for the remainder of 2015, as a trial run. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

DISCUSSION AND ACTION REGARDING JUVENILE PUBLIC DEFENDER CONTRACT

David Miller explained that the Iron County juvenile public defenders work load had increased. David noted that the choice was to either work within the existing contract or to provide additional compensation through the end of 2015. He said the contract would be reviewed at the end of the year. Leslie Bishop, HR Director, explained that fair public defender compensation was difficult to determine because counties are so unique. David Miller expressed the need to provide public defense, as well as metrics for public defender workload and pay. Scott Garrett commented that the number of felony cases filed guides the district court to determine demand, and agreed that there needed to be a way to extract public defender data. Dale Brinkerhoff requested that Leslie Bishop obtain 5 comparable public defender compensation rates in other counties that would help with the decision. The subject was tabled until the next commission meeting.

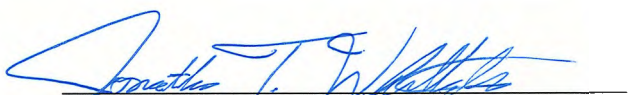
APPROVAL OF MINUTES

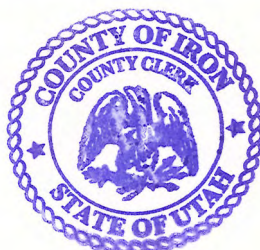
Alma Adams made a motion to approve the minutes of March 23, 2015. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING
August 24, 2015

Minutes of the Special Meeting of the Iron County Commission convened at 9:00 a.m.
August 24, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Leslie Bishop	County HR
Cindy W. Bulloch	County Assessor
Gene Adams	County Auditor
Nicole B. Rosenberg	County Treasurer

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by John Higley.

INVOCATION

An invocation was offered by Jonathan Whittaker.

DEPARTMENT REPORTS

Jonathan T Whittaker, Iron County Clerk, reported that there was an increase in Sewer Fund connection fees. The Elections budget was at 20%, due to waiting on payments from

the cities elections. Jon noted that the Iron County Clerk's Office offers services for the cities with their elections. He reported that he experienced his first election in the Enoch City Primary, and that he was grateful for his staff for helping him prepare and process the election. He stated that he was considering going to all mail voting in 2016.

HR: excused

John Higley, Iron County Emergency Management, reported that the budget report, as of June 30th, with the exception of expenditures of personnel, was at 27%. John stated that he received the Strategic Highway Safety Plan (SHSP) Grant in the amount of \$9,500. A partial He reported that they had also been awarded the Emergency Management Performance (EMP) grant for \$46,750, which continued to help fund his secretary. John reported that the Preparedness Expo would be held at the Heritage Center on September 9th, and the Community Emergency Response Team (CERT) basic training was scheduled for November 6,7,13 & 14th. He stated that he attended training with the Iron County Volunteer Center in Salt Lake, and would need to visit and assess facilities that could serve as Volunteer Registration Centers. John reported that he attended the Question Persuade Refer (QPR) training, which specialized in suicide prevention and identification, and was excited to offer the QPR training in Iron County. Dale Brinkerhoff stated that there would be about 12,000 square feet for the Emergency Operation Center (EOC). John noted that he would be changing the name from EOC to Emergency Coordination Center (ECC), as it reflected more on what they did. Dale Brinkerhoff complimented John on presenting a good report, and was pleased to see things were moving forward.

Alma Adams, Iron County Commissioner, reported that when he attended the Utah Counties Indemnity Pool (UCIP), he learned that there was no pollution coverage for the Iron County Landfill, and it was something that needed to be looked into. Alma noted that the Iron County Commissioners would be participating in the Iron County Fair once again.

David Miller, Iron County Commissioner, reported that he attended a meeting with Governor Herbert with County Commissioners on August 2nd and Public Lands dominated the discussion. David stated that Governor Herbert was concerned with any Monument activities associated with the Iniquities Act. He noted that Maria Twitchell's father had passed and expressed condolences to her and her family. David reported that there would be a meeting on Wednesday, August 26th in Salt Lake City with the Attorneys office regarding the discussion of designating the Parowan Culinary Water Shed Protection Zone and Brian Head as nuisance areas.

John Whittaker, Iron County Clerk, presented the swearing in of Curtis Crawford as the new Council on Aging Director.

REQUEST AND APPROVAL FOR "EOC" READY, A PREPAREDNESS CELL PHONE APPLICATION THAT COMPLIMENTS THE CITIZEN ALERT SYSTEM

John Higley reported that he had found an application that would ease phone calls to dispatch concerning locations for shelters, medications, and other information, and it would put the emergency plans at Iron County's fingertips. John turned the time over to Mac Chelmers, by phone, who reported that the power was out in their building and he couldn't make the demonstration at this time. David Miller stated that they could move it back to a later time.

PUBLIC COMMENTS

No Public comments were offered.

APPROVAL AND SIGNING OF COOPERATIVE AGREEMENT PROVIDING FOR A CONSOLIDATED DISPATCH SERVICE IN IRON COUNTY

Linda Petty, Cedar City Communications Manager, presented the new contract for the 2015-2016 year. Linda reported that the cost was modified for Iron County from \$119,084 to \$105,926. She noted that there were no increases and only Iron County had a decrease.

Alma Adams made a motion to approve the signing of the Cooperative Agreement providing for consolidated dispatch service in Iron County as presented. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

DISCUSS THE FIVE COUNTY ASSOCIATION OF GOVERNMENT'S (AOG) STAFF PREPARING FOR AND ON BEHALF OF IRON COUNTY A UTAH CODE REQUIRED AFFORDABLE HOUSING PLAN.

Gary Zabriskie, Director of Five County AOG Community & Economic Development, reported that they were preparing a plan for moderate income housing in conjunction with the Iron County Commissioners, the Iron County Planning Commission, and the stake holders in Iron County that would be complying with the requirements of the Utah Code that applies to counties. Levi Roberts, a Senior Planner, reported that it was required by Utah Code to have a moderate housing element in Iron County's general plan, or reference to. Alma Adams stated that income housing was driven by the free enterprise system, and questioned what would be in the plan that would guide or make it possible to have more moderate housing. Levi explained that some counties create barriers to developing housing which was affordable to populations that live there, and there could be a standard in the zoning that made it very difficult to develop moderate housing. He stated that Utah Code 17-27A-403 gave examples of rezoning for density necessary to assure the production of moderate income housing. He reported that there were only four things that the State required to be in County General Plans; a land use element; a transportation element; a County Resource Management plan, and a moderate income housing element. Levi explained that their plan was an estimation of the need for moderate housing, and that to estimate the need; they look at the income levels, and the housing values and market. He added that they use an affordable housing forecast for the need for affordable housing in the future, and that the plan was only an advisory notice and was not legally binding.

Gary reported that they were aware that housing was a private enterprise situation and that there were exceptions where housing authorities go in and build, but most of the time this was done in the cities where there were services available. He stated that they would recognize this, and work with what worked for Iron County. Gary noted that financing came through a portion of their Community Development Block Grant, funding they receive as a Five County Region, and that they were limited on things they could do, but the income housing was one they could do, where it meets the requirements. David Miller questioned whether he thought there was a shortage based on information they had for moderate income housing in Iron County. Gary replied that in Cedar City there was, and housing for people who work on farms needed to be looked at in Iron County. He reported that housing incomes states that no persons should be spending more than 30% of their income on housing. David asked that they please include the Home Builders Association in the plan. Reed Erickson, Iron County Planner, questioned how they would coordinate with what Iron County and Cedar City had already done. Levi explained that their plan would be an analysis of what the needs were at this time.

POLICY DISCUSSION AND APPROVAL FOR NON COUNTY PAYROLL DEDUCTIONS

Dale Brinkerhoff reported that the discussion would be moved to a later date.

RESOLUTION 2015-8, SUPPORT FOR THE NATURE CONSERVANCY TO ACQUIRE SITLA PROPERTY FOR UTAH PRAIRIE DOG HABITAT TO ASSIST IN RECOVERY EFFORTS

Reed Erickson, Iron County Planner, reported that the resolution included acquisitions of property for both School & Institutional Trust Lands Administration (SITLA) parcels and the Ryan Pond site was the one preferred because of the flat area, and SITLA agreed to let Iron County do work on the parcels. David Miller stated that the Nature Conservancy was getting funds from the Federal Government and they were identifying properties where Iron County could put some protections in place, which Iron County was supportive of because of the Utah Management Plan for prairie dogs. Reed stated the Bureau of Land Management (BLM) was

very supportive during the tour. Alma Adams questioned if there was a president on a conservation easement on BLM. Reed reported that the BLM looked at them as special designations and don't do conservation easements because they were multiple use and they had tools for it, like areas of wildlife interest or Area of Critical Environmental Concern. David Miller reported that Iron County needed to be aware that the Fish and Wildlife had chosen to appeal the ruling of judgements, which had allowed Iron County to have the State and National plan, which had allowed Iron County to remove prairie dogs off private property without litigation fees. He noted that it may be better suited to postpone any action on this, and leverage Iron County's position that the appeal should not be granted. Reed stated that if Iron County went forward with the plan, it would show that Iron County was moving forward in good faith. David Miller made a motion to approve Resolution 2015-8 supporting the Nature Conservancy to acquire SITLA property for Utah prairie dog habitat to assist in recovery efforts, subject to obtaining a legal description of the property. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

Reed reported that the Fish and Wildlife wanted to get started on the General Conservation Plans (GCP), the purpose being that if the appeal was overturned, then Iron County wouldn't have a mechanism in place to do incidental takes, and that GCP would provide that mechanism. David Miller stated that in a letter from Marty Bushman it was made clear that the suspension of the Incidental Take Permits (ITP), was illegally being transacted, and pointed out the fact that there was no authority to suspend it based on Federal statute according to the guidelines that allow for suspension. He reported that essentially the guidelines that allow the ability for the Fish and Wildlife to suspend an ITP was directly tied to basically breaking the terms of the ITP. David explained that anything Iron County did right now that was going to be assisting them, even though Iron County recognized that they were trying to make a backup plan, would come back and undermine the long term efforts and the position on what an ITP does. He expressed that Iron County needed to proceed cautiously and have a good plan in place.

APPROVAL OF ADDITIONAL SURPLUS TO SELL WITH CURRENT SURPLUS VEHICLES.

Alma Adams made a motion to approve the additional surplus items from the Landfill which included a single axle surplus army trailer with a Pintle hitch, with a minimum bid of \$200, and a steel tank, approximately 1000 gallon, with a minimum bid \$150. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

PERSONNEL

Leslie Bishop, Iron County HR, presented new hire Cutis Crawford, as Council on Aging (COA) Director, effective August 17th. This was a backfill of vacant position. Leslie presented new hire Chelsea Atkinson, as a Kitchen Helper for COA, effective August 10th. This was a backfill of vacant position. David Miller made a motion to approve new hire Cutis Crawford, as COA Director, and Chelsea Atkinson as a Kitchen Helper in Council on aging. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

Leslie presented new hire Colby Hulet, as Lead Road Maintenance Worker in the Road Department, effective date August 31st. This was a backfill of a vacant position. Leslie presented new hire Sonia McEwan as a Victim Services Coordinator in the Children's Justice Center, effective August 17th. This was a new position in the Children's Justice Center, and Leann Pratt to move from part-time to full-time in the Children's Justice Center, effective August 30th. Alma Adams made a motion to approve the personnel changes as presented by Leslie Bishop. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

Leslie presented new hire Cecily Evans as a Seasonal Iron County Fair Worker, effective date was yet to be decided. Leslie reported that Joyce Evans, Iron County Fair Director, had an accident and needed the extra help with the start of the Iron County Fair being so close. David Miller made a motion to approve the hire of Cecily Evans as a Seasonal Iron County Fair Worker, effective date beginning after Joyce Evan's accident. Second by Dale Brinkerhoff. Alma

Adams excused himself from voting as to family connections. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION AND ACTION TO REIMBURSE PAROWAN CITY FOR AMBULANCE PROPERTY DONATION

Dale Brinkerhoff explained that the Ambulance property was donated to Iron County from Parowan City many years ago, and the deed showed 98 hundredths of an acre on the parcel and appraised by Morning McConkie at about \$64,000. Dale stated that multiple persons worked on cleaning up and correcting the deed and it ended up being 0.9 acres. He noted that Parowan City had asked Iron County for reimbursement for the value of the property. Dale reported that the Iron County Commissioners met with Parowan City Manager Shane Scott and Parowan City Mayor Landis. He stated that Iron County did have an obligation to have the discussion and that Parowan City also had obligations, where Iron County spent an extra 7 months meeting with the City Mayors in an attempt to keep the Ambulance with Iron County, which cost Iron County about \$250,000. Dale reported that Mayor Landis respectfully disagreed and that Parowan City Council requested fair market value. Dale stated that the Iron County Commissioners offered \$30,000, which was accepted by Mayer Landis. David Miller made a motion of approval to reimburse Parowan City \$30,000 for the Ambulance property donation. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

DISCUSSION AND ACTION REGARDING IRON COUNTY COURTHOUSE REPAIRS

Lester Ross, Maintenance Supervisor, reported that the sewer line broke once again above the Iron County Assessor's Office, and took out the ceiling and a good chunk of the basement. Lester explained that the piping was all cast iron and over 40 years, which had a 20-30 year lifespan, and the question was where to start and where to end. David Miller requested that Lester made sure there were not any lines, pressurized or sewer, running over vaults and sensitive archives. David stated that the Iron County Commissioners could possibly have a discussion on a renovation to the whole building to get everything up to date. Lester reported that with the size of the job, there would have to be a general contractor involved. Dale Brinkerhoff requested that Lester move forward acquiring a couple contractors, and that there needed to be a discussion to where offices could be relocated. David Miller stated that the Iron County Commissioners needed to look into a complete renovation of the building. Chad Nay, Iron County Building and Zoning, reported that he would begin work on getting a design team together.

NON-DELEGATED ITEMS

BOARDS

Dale Brinkerhoff reported that Mike Coronado had agreed to fill a vacancy on Water Conservancy District Board that was left by Keith Williams. David Miller made a motion to approve the appointment of Mike Coronado to the Water Conservancy District Board, filling a vacancy left by Keith Williams. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

ADJOURNMENT

Dale Brinkerhoff, Iron County Commission Chair, declared adjournment.

Signed: Dale M. Brinkerhoff, Chairman

Attest: Jonathan T. Whittaker, County Clerk

IRON COUNTY COMMISSION MEETING
September 14, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 14, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Leslie Bishop	County HR Director
Cindy W. Bulloch	County Assessor
Deborah Johnson	County Recorder
Gene Adams	County Auditor
Nicole B. Rosenberg	County Treasurer
Jared Wilson	County IT Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Jared Wilson.

INVOCATION

An invocation was offered by Danny Stewart.

DEPARTMENTAL REPORTS

Maria Twitchell, Iron County Executive Director of the Cedar City Brian Head Tourism Bureau, reported that the tourism budget was at 76.5 percent. The Transient Room Tax (TRT) collections were up 8 percent and Occupations were up 6.2 percent. Maria reported that the 2015 Co-op campaign ended with an increase of 25,000 skier days resulting in an estimated \$3.5 million economic impact for Iron County. She stated that she had applied for Co-op dollars again this year and received \$169,000. She was granted an additional grant for \$37,000, which gave her \$370,000 for the Shakespeare Center and SUMA campaign. Maria reported that the Parks and Recreation budget was at 34.53 percent. The water system at Woods Ranch failed in late July which resulted in shutting off the water. Repairs were made and it was up and working as of last week. She noted they were still having issues with pipes breaking. The line from the spring to the holding tanks was PVC pipe, and needed to be replaced with poly pipe. Maria reported that the 4-H Club had agreed to donate a NRA grant to help support an additional bathroom at the shooting range for \$5,000, and Iron County was able to put in a matching grant up to \$50,000.

Jared Wilson, IT Director, reported that the budget was on track. Jared reported the department had averaged 334 work orders completed per month as of September of this year. He reported that projects completed were: cameras were added inside the Justice Center; the online and exhibit software for the Iron County Fair had been updated and the zoning map was now online. Jared concluded by reporting that the process of updating the website with the new Iron County logo was progressing.

Sheriff Gower: Rescheduled in two weeks.

David Miller, Iron County Commissioner, reported he had a successful trip to Oklahoma with Beaver County Commissioners Whitney and Pearson. David reported they were there to testify and clarify to the realities of the conditions of the range in the respective Counties. David noted that there would be an appeal hearing for the prairie dog issue held on September 28 in Denver at the 10th Circuit Court of Appeals, and that he would like to attend to have representation.

Alma Adams, Iron County Commissioner, reported that there were discrepancies on the Red Hills Renewable Park Road, that Sky Tech was going to oil from 2200 W. 2200 N. West. Alma noted that Sky Tech needed to bring the grade up to meet Iron County standards before it began.

APPROVAL OF MINUTES

David Miller, Iron County Commissioner, made a motion for an amendment to the April 13th Iron County Commission minutes regarding the roof action that “closure of the department” needed to be added. David made a motion to approve the April 13, 2015 Iron County Commission minutes with the amendment. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

Dale Brinkerhoff reported that there was a request from the Sheriffs’ Office to allow Adam Burton to keep the K9 dog. The dog was 9 years old and no longer available for service. Leslie Bishop reported that in the past once the dogs retired the Officers were able to keep them. David Miller noted that confirmation was needed that the dog was no longer able to serve before a decision was made.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, reported that he attended the September 3rd meeting of the Zoning Committee regarding the changes to R20 to RA20. William explained he lived on 7849 W 1700 S, and that the votes that were against R20 were nullified. He noted that zoning does not allow him to have a propane tank or a wood pile on his property, and that the law states you cannot have any storage or place for hazardous materials. William stated that he had a responsibility to care for his property, and the Iron County Commissioners had no right to restrict persons on their personal properties. He requested that the Iron County Commissioners consider looking at the way zoning was done, why it was done, and who benefited from it. Chad Nay, Iron County Building/Zoning, requested that William come to his office and he would try to resolve some of his issues.

PUBLIC HEARING TO CONSIDER IRON COUNTY ORDINANCE 2015-7, AN ORDINANCE TO VACATE A PORTION OF WEST AVENUE AND NORTH SECOND AVENUE LYING WITHIN BLOCK 3, CASTLE TOWNSITE AKA NEWCASTLE

Dale Brinkerhoff, Iron County Commission Chair, declared the public hearing regarding the Iron County Ordinance 2015-7 open.

Reed Erickson, Iron County Planner, explained that the name Castle Townsite was now known as Newcastle. Reed reported that there was a signed petition from all the land owners of those properties stating they would like the alleys to be vacated. He stated that the notices had been posted as required by law. Reed reported that the plat had been recorded and the land owners had those, and there was plenty of access for life safety issues. No public comments were offered. Dale Brinkerhoff declared the Public Hearing closed. David Miller made a motion to approve Iron County Ordinance 2015-7, an Ordinance to vacate a portion of West Avenue and North Second Avenue lying within Block 3, Castle Townsite, aka Newcastle, with the understanding there would be a map included with signatures from the property owners. Second by Alma Adams. Voting; Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

HEARING FOR THE CREATION OF AN AGRICULTURAL PROTECTION AREA

Dale Brinkerhoff, Iron County Commission Chair, declared the hearing regarding the creation of an Agricultural Protection Area open upon completion of the explanation.

Chad Nay, Iron County Building & Zoning, explained that the Planning Commission recommended unanimously to approve the Agricultural Protection Area, and also recommended that some restriction be added with limitations being placed on the cultural uses. Those being; the raising/grazing, foaling, calving, lambing, farrowing, feeding of horses, cattle, sheep and pigs which would include pig lots with the proper permit. No public were offered. Dale Brinkerhoff declared the Public Hearing closed. David Miller noted that there needed to be confirmation that the private property owners were aware along with the neighboring private property owners. Jon Whittier, Iron County Clerk, reported that all the recommendations and notices were completed. Mike Edwards, Deputy County Attorney, reported that there were factors in the state code that needed to be considered when approving Agricultural Protection Areas which were: "whether or not the land is being used for agricultural production; whether or not the land is zoned for agricultural use; whether or not the land is viable for agricultural production; the extent and nature of the existing proposed farm improvements, or the extent and nature of the existing or proposing improvements for industrial use and anticipated trends in agricultural technology and conditions." Mike noted that all of the conditions were met. Alma Adams made a motion to approve the creation of an Agricultural Protection Area, filed by Murphy Brown, LLC, now known as Smithfield Foods, of approximately 3,981 acres located in Northwestern Iron County, SECTION 9, 17, 20, 30; T31S, S12W, SLM: SECTION 5, 25, 26, 35, T31S, R13W, SLM;

SECTION 1, 2, 11, 13, T32S, T32W, SLM. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

FINAL APPROVAL OF THE NEW IRON COUNTY LETTERHEAD AND STYLE GUIDE

Maria Twitchell presented the Iron County Commissioners with four different versions of the new Letterhead. The Iron County Commissioners requested to put the letterhead in the Style Guide with the light and dark versions, with improvements along the top with different fonts. Maria stated that she would send the final draft to Jon Whittaker and then he could disperse it to the others departments. David Miller made a motion to approve the new letterhead and style guide with a smaller font across the top. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION OF ESTABLISHING A SATELLITE PHONE BASE AT THE SHOOTING RANGE AND WOODS RANCH

John Higley, Iron County Emergency Management Coordinator, reported that one solution to the communication problem at both the Shooting Range and Woods Ranch was a Satellite Emergency Call Box. Two call boxes would be set up, one at each location, which were similar to the call boxes located on the I-15 corridor to California. It was a small orange box on a pole with a solar panel attached. John reported that the cost was about \$16,000 for both units, which would include the pole box, a speaker, and a push button phone which would directly connect to the dispatch center. The money would come from the either the State Homeland Security Program Grant or the Regional Communications Grant funding. He explained that the grant would cover the costs of all the acquisitions and installation of the two boxes, but there would be a monthly service fee of about \$1,200 a year. John stated that the company tried to make the call boxes as vandalism proof as possible. There would be cameras on the phones, so if the boxes were vandalized it would be recorded. David Miller made a motion to approve John Higley to move forward in collecting more information with the Satellite Phone system. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller.

REQUEST AND APPROVAL FOR “EOC READY”, A PREPAREDNESS CELL PHONE APPLICATION THAT COMPLIMENTS THE CITIZEN ALERT SYSTEM

John Higley, Iron County Emergency Management Coordinator, placed a called to Matt Chalmers, Quick Series Publishing (QSP), who had been working with the Emergency Management Systems. Matt went through a demonstrator portal to show the workings of the phone app. He reported that they decided to create the EOC Ready, which was the All Hazards Community Management App System. The app was designed to help all citizens set up a plan and be ready for a disaster. Matt explained that QSP had elected to use the Smart Phone Platform for two reasons; people like to use them because they were fun; and that there were a lot of them. He explained that you would set your emergency information into your phone; medical needs, meeting place, out of town contacts, and any community emergency notices with a one button step, and the easiest format was a checklist concept. Matt reported that maps could be entered to help with flood zones, shelters, and escape routes, and that an administrator could go in and update information such as road closures and shelter that were full, every three minutes. David Miller questioned the safety of sensitive data being entered on the phone. Matt explained that only the community members could see what was sent out, and the phone was as secure as you made it, and only you could access the information on your phone. He stated that the county administrator would be the only one who could send out notifications and alerts. John explained that this was a redundant system for 911, and getting this out to the public could be done through social and media advertising. He noted that there would be no individual cost, but there was a \$5,000 cost for Iron County per year. Alma Adams reported that it could be shared with the municipalities to help share the cost. David Miller made a motion to approve the EOC Ready, preparedness cell phone application and approve John Higley to spend \$5,000 from the 2015

funds to proceed with future involvement with the cities. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ADOPTION OF THE IRON COUNTY SEVERE WEATHER PROCEDURE DOCUMENT

John Higley reported that he had been working with the National Weather Service (NOWA) to obtain a storm ready designation for Iron County. John explained that the document was a guideline to establish, within Iron County, should there be severe weather that might impact employees and their families, and that this was just a procedure not policy. Alma Adams made a motion to accept the adoption of the Iron County Severe Weather Procedure Document. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

CONVENE AS THE GOVERNING BOARD OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (ICCD&RA)

Dale Brinkerhoff, Commission Chair, declared to adjourn as the Iron County Commission and to convene as the Governing Board of the ICCD&RA.

ICCD&RA RESOLUTION 2015-9 CONSIDERATION FOR ADOPTION OF RESOLUTION OF THE GOVERNING BODY OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY APPROVING A DEVELOPMENT AGREEMENT RELATING TO THE THREE PEAKS POWER COMMUNITY DEVELOPMENT AREA (CDC) PROJECT AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT (CICWCD), AND RELATED MATTERS

Danny Stewart, Iron County Economic Development, reported that the resolution was to include the CICWCD in the Interlocal agreement, which wasn't included. To approve the development agreement, this was in the final process of the creation of the CDA for the Three Peaks Power Project. Alma Adams made a motion to approve the ICCD&RA Resolution 2015-9 as presented by Danny Stewart. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ADJOURN AS THE GOVERNING BOARD OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

Dale Brinkerhoff, Iron County Commission Chair, declared the adjournment of the Governing Board of the ICCD&RA and to reconvene as the Iron County Commission.

REVIEW OF 2014 IRON COUNTY AUDIT BY HINTON BURDICK CPA'S

Robert Cox, Hinton Burdick CPA, reported that the financial statements had been distributed to the Iron County Commissioners and Gene Adams, Iron County Auditor. Iron County had a "Clean Opinion", in that the statements were presented fairly. Mr. Cox reported that on the Management Discussion and Analysis, the sales tax revenues grew by 4.7 percent; Federal Payments and taxes had increased by 7 percent; Restaurant and Transient Room Tax had grown by 8.39 percent and 10.74 percent respectively. Robert reported that the overall summary was good. Alma Adams made a motion to accept the 2014 outside audit presented by Hinton Burdick CPA's. Second by David Miller. Voting: Alma Adams, Aye, Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVAL OF USING \$452,000 OF CORRIDOR PRESERVATION FUNDS FOR PURCHASING RIGHT-OF-WAY FOR THE CEDAR CITY COAL CREEK ROAD IMPROVEMENT PROJECT

Kit Wareham, Cedar City Engineer, explained that they were proposing to cut the project of redoing Coal Creek Road into three phases; Phase I would be from Main Street to 1045 North, a 66' wide road, two lanes and a turning lane; Phase 2 would be the I-15 total Structure Widening, going from 32' to 44'; Phase 3 would be from 1045 N. to Kitty Hawk/Bulldog Road

connection. Alma Adams made a motion to approve using up to \$452,000 of the Corridor Preservation Funds for purchasing right-of-way for the Cedar City Coal Creek Road Improvement Project. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ANNEXATION INTO ENOCH CITY. PROPERTY LOCATED AT AND NEAR 3194 NORTH MINERSVILLE HIGHWAY

Rob Dotson, Enoch City Manager, explained that in the original hearing request, the annexation was an unincorporated peninsula, which was illegal. Rob reported that House Bill 42 of the 2015 Legislative session was adopted to not allow this type of annexation “unless the County and municipality have otherwise agreed” (Utah code 10-2-402). He reported that they were requesting Iron County’s approval of the annexation of 10.46 acres. David Miller made a motion to approve the proposal of the annexation of 10.46 acre property into Enoch City which would create a small peninsula with no negative impact to Enoch City property owners regarding the road or utilities. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVAL OF INTERLOCAL AGREEMENT WITH BRIAN HEAD FOR BUILDING INSPECTION SERVICES

Chad Nay, Iron County Building Inspector/Planning & Zoning Supervisor, explained that in 1993 it was required for Building Inspectors to be certified and licensed through the International Code Council (ICC), and licensed through the State of Utah. At the time, small entities were having a rough time and Iron County agreed to provide Building Inspectors within Iron County, and that everyone was on board except Cedar City. Chad reported that Iron County had covered Brian Head, at least in Commercial, since 1993, and it was noted that if Brian Head wanted to continue the coverage a new contract would have to be made. He stated that he had some concerns with some of the changes that Brian Head had made. Dale Brinkerhoff requested to table the issue until all concerns were taken care of and a corrected and signed copy could be brought back.

SURPLUS VEHICLE BID OPENING

David Miller made a motion to approve the bids submitted for the military trailer of \$226, and \$180 for the tank. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, aye; David Miller, Aye.

REVIEW OF COMP TIME AND OVERTIME POLICY

Dale Brinkerhoff explained that on the day the Iron County Courthouse was closed due to hazardous air quality, the employees were given time worked and not required to use comp time. Carrie Christiansen, Deputy Auditor, reported that the time worked was not “time worked”, and was used as administrative leave. Leslie Bishop, HR Director, reported that administrative leave does not require Iron County to pay the employees even if there was an emergency shutdown. The Iron County Commissioners felt they honored the employees with pay and that was their decision. Carrie explained that if an employee had worked over the allotted time of 40 hours for that week, it would have to be taken from comp time. Jon Whittaker, Iron County Clerk, was concerned the administrative hours for his workers were cut and taken from the comp time earned. Leslie reported an employee must work 40 hours for the week before comp time to be redeemed.

PERSONNEL

Leslie Bishop, Iron County HR, presented new hire Curtis Crawford as an Outreach Worker for Council on Aging, effective September 10th. This was a backfill of a vacant position. Leslie presented the advancement of Candace Reid from Deputy III to Deputy IV in the Attorney’s Office, effective August 30th. Leslie presented the advancement of Ashley Stagg from a part-time to full-time Justice Court Clerk, effective August 30th. This was a backfill of a vacant
September 14, 2015

position. Leslie presented new hire Austin Mortensen as an Outdoor Maintenance worker for Parks and Recreation, effective August 25th. This was a backfill of a vacant position. David Miller made a motion to approve the Personnel changes as presented by Leslie Bishop. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop explained that a top concern of the Utah Counties Indemnity Pool (UCIP) was volunteers and the management of it; how we were offering those services; and how we were maintaining the records of such. Leslie reported that one of the rising costs for Iron County's Indemnity Pool was to defend immunity cases. The current Iron County policy was to have the department heads send the volunteer information in. A driver license check was made, and everyone received a background screen check. She reported that there was nothing stating what their duties would be. Workers Comp and UCIP had asked for the duties to be listed. Leslie explained that in the agreement it now states to sit down with the volunteer and report what the defined duties were and the volunteer would have to agree to them. David Miller mentioned that he was concerned with the reading of a statement in section 7 and requested it be changed from "for any other reason" to "for any other reasonable cause". David Miller made a motion to approve the new Volunteer Policy Section 43 and New Volunteer agreement, with the amended change of wordage in Section 7 from "for any other reason" to "any other reasonable cause." Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

NON-DELEGATED ITEMS

UCIP RISK MANAGEMENT REPORT

Leslie Bishop explained that she received a report from the Utah Counties Indemnity Pool (UCIP) Risk Management about approval of the rates. The Indemnity Pool had experienced a five year ratio loss of 118 percent overall. Iron County's five year ratio loss was 109 percent, which was primarily due to changes in exposures that were due to defending claims until they got to a certain level. She reported that UCIP wanted Iron County to be aware that liability rates had increased because actuary estimates continued for defense costs in all counties that participate. Leslie reported that there needed to be a policy in place that restricted adopting a drone into an Iron County department unless the proper steps were taken and coverage was in place. She explained that drones were classified as aircraft and the FFA may begin to require persons to have a private pilot license. David Miller requested that Jon Whittaker and Leslie put a policy together stating drones would be prohibited from Iron County ownership unless authorized by the Executive and Legislative body.

VEHICLE MILEAGE REIMBURSEMENT

Leslie Bishop reported that the IRS Audit brought to her attention that several departments had individuals taking vehicles home that were not authorized and Iron County would have to pay the 2013-2015 Commuter Rules of \$1.50 each way, which may have to be deducted from their pay. Leslie explained that Roads, Landfill, nor the Attorneys Office was exempt on the rule. Only Law Enforcement was exempt under the IRS Code. Leslie reported that Iron County needed to put all Reimbursement in one policy, and if the departments continued to take the vehicles home it would have to be reported as income. Dale Brinkerhoff stated that more discussion and information was needed and would table the issue until a later date. Lieutenant Schlosser, Iron County Sheriff Department, requested to use the General Services Administration (GSA) rate for reimbursement for meals when traveling. He reported that it was taking a lot out of the deputy's pockets for meals, and was asking for \$45-\$65 per day for meals. Leslie reported that Iron County does have the 7/7 rule for meals. If you leave before 7am you were allowed breakfast and after 7pm dinner. Iron County needed to follow the IRS Rules. No decision was made at this time.

ADJOURNMENT

Dale Brinkerhoff, Iron County Commission Chair, declared adjournment.

Signed: Dale M. Brinkerhoff, Chairman

Attest: Jonathan T. Whittaker, County Clerk

IRON COUNTY COMMISSION MEETING

September 28, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 28th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner - Excused
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
H. Eugene Adams	County Auditor
Nicole B. Rosenberg	County Treasurer
Stephen Platt	Iron County Engineer
Bruce Anderson	Landfill Supervisor
Chad Nay	Zoning Administrator

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Steve Platt.

DEPARTMENTAL REPORTS

Chad Nay, Iron County Zoning Administrator, reported that building in Iron County had increased. Chad noted that the building department had issued 150 building permits by the end of August, 17 more building permits than had been issued by the end of August 2014. He also explained that the total valuation of properties at the end of August was \$11 million, higher than any other year on record. Chad explained that these figures did not include the last 2 or 3 solar farms under construction.

Chad Nay explained that the building department had issued 14 Conditional Use Permits (CUP's) for solar farms in 2015, and 11 building permits. Chad clarified that 3 more CUP's were still in the process of approval. He then described concerns brought to his attention by Alva Matheson, a resident of Cedar City. Mr. Matheson explained that one of the solar farms may be located on part of the Old Spanish Trail. Chad Nay expressed that Mr. Matheson was very upset, and was trying to force Iron County to enforce antiquity laws over which Iron County had no control. Chad noted that Mr. Matheson had threatened lawsuits. Chad also noted that, as stewards, his department would have brought the potential overlap to the developer's attention if they had known about it. Dale Brinkerhoff asked whether the solar farm would impact the trail. Chad Nay replied that the Trails Act applies only to public lands, and the solar farm in question was located on private property. Dale Brinkerhoff expressed that it was the desire of Iron County to preserve historical landmarks. Chad Nay explained that he and his staff had worked to identify historical trails and potential conflicts in the future. Also, that the solar company had committed money to pay for signage marking the location of the Old Spanish Trail on public rights-of-way near their property.

Chad Nay discussed the hearing to be held on Thursday, October 1st regarding the RA-20 Zoning changes. Chad noted that the public had been very involved during the lengthy process. He expressed appreciation for the public interest and frustration in the zoning change.

Chad Nay described the challenges that had been occurring in the maintenance department. Primarily, the increase in construction had strained the department in trying to meet both the building inspection and facilities maintenance demands. Lester Ross, who had been performing maintenance duties also, had acquired many essential building inspection certifications. Using Lester for building inspection duties had caused maintenance to fall behind. Chad expressed relief for a new hire in maintenance to be discussed later in the meeting.

Chad Nay explained that the Building and Zoning budget was on track and within budget. Chad reported that Brian Head Town had signed the contract for Iron County to provide building inspection services. He noted that even though Iron County had made the least generous offer, Brian Head selected the Iron County Building and Zoning department, reflecting the trust the department had earned.

Stephen R. Platt, Iron County Engineer, reported that his budget was on track. Stephen then explained that the 5700 belt route project would be paved in October by Western Rock. He noted that at the intersection of the belt route and Highway 56, there would be acceleration and deceleration lanes at a cost of \$325,000.

Stephen Platt reported that progress had been made in the RS-2477 roads. He explained that the Utah Attorney General's Office wanted to continue to do depositions before the witnesses to the roads pass away. Steve noted that several had recently passed away.

Stephen Platt explained that he would write a reminder letter to President Wyatt of Southern Utah University (SUU) regarding the SUU Mountain Center Road. Iron County had been seeking to confirm legal access for the owners and users of that road.

Stephen Platt reported that the Bureau of Land Management (BLM) was conducting a National Environmental Policy Act (NEPA) assessment on the Cedar Highlands Road. Steve explained that the archeological and realignment concerns were being addressed. Steve also reported on the improvements to the Dutch Cowboy Dairy

Road, The Bowery Creek Road additional pavement, acquiring additional right-of-way on 5700 West with Local Corridor Preservation Fund monies, the successful inspection of the Red Creek and Yankee Meadows Dams, addressing and encroachment permits and parking lot maintenance for the Cedar City Senior Citizens center. Steve concluded by discussing the Jim Watson pit on Kanarra Mountain. He reported that after 4 exploration holes, they found some quality cinders. Steve noted that he was hoping to meet with the Watsons before winter.

Neil Forsyth, Iron County Road Supervisor, reported that the chipping was completed in June, for a total of 27 ½ miles. Neil explained that he and Steve Platt had worked with Sunroc to repair a few deficiencies in the Dutch Cowboy Dairy Road. Neil reported that the flush coating would be completed today (September 28, 2015), and had been postponed due to the rains. Neil concluded by reporting on the various repairs the Road Department had made on Cedar Mountain. He noted that they were seeking more cinders with which to be able to make repairs.

Bruce Anderson, Landfill Supervisor, reported that there were significant increases in tonnage to the landfill thus far in 2014. He noted that the biggest increases were in construction and demolition materials. Bruce noted that much of the asbestos comes from outside of Iron County. St. George city had been the biggest customer, because they were disposing of insulation on a pipe. Bruce explained some of the rules for disposing of asbestos set by the Department of Environmental Quality. He reported that he demolished the old scale house, and would be building a new one. Bruce expressed gratitude to Neil Forsyth for laying asphalt on the road going to the pit. He noted that they had chipped the wood themselves, sold all of their wood chips, and made some profit.

Alma Adams, Iron County Commissioner, reported that the commissioners had attended a Utah State Association of County Commissions and Councils (USACCC) conference in Midway. Alma noted that Neil Kornze, the national director of the Bureau of Land Management spoke. Alma explained that Mark Ward, Senior Policy Analyst and Public Lands Council for the Utah Association of Counties (UAC), asked Neil Kornze about RS-2477 roads and a pilot plan in Iron County. Alma reported that Mr. Kornze hedged on the subject, but that our local officials felt hope and would follow up regarding preserving the important roads on public lands.

Alma Adams reported that the sage grouse not being listed was cause to celebrate. Alma noted that, unfortunately, many regulations will still apply to the species. He noted that Mark Ward would be performing a study of the sage grouse regulations.

PUBLIC COMMENTS

No public comments were offered.

PUBLIC HEARING TO REVIEW BUDGET AMENDMENTS FOR CALENDAR YEAR 2015

Gene Adams, Iron County Auditor, reviewed the budget amendments with the commissioners. In the general fund, there were changes such as Everbridge software, various grants, a salary survey, a state economic conference, and wages and benefits for a Building Maintenance Assistant and Part Time Information Technology (IT). Under roads, corridor preservation funds, special projects and Coal Creek Road right-of-way were among the adjustments. The Transient Room Tax (TRT) had adjustments for the Western Freedom Festival (WFF) and advertising. The 911 account had changes for additional equipment. The WFF also had entries with specific adjustments, such as community sponsors, event revenue, entertainment expense and advertising and promotion. Under Ambulance, there were entries reflecting the termination of the county operated service.

Vicky Tyler, a resident of Cedar City, asked for clarification about \$20,000 in donation to the Western Freedom Festival. Dale Brinkerhoff noted that the funds came

from the Transient Room Tax. Vicky Tyler stated that she was in opposition to tax funds going to the WFF. Vicky stated that her reasons for opposing such a transfer were that it was a political event, not representing the general public; that it was said to be supported by the Iron County Commission even though there were no minutes to reflect that; that it is sponsored by the Center of Politics and Government, indicating that it is a political event; that some of the promotional language states the event is in response to the abuse done to Western rural communities from heavy handed government; that it is a point of rally, a chance to stand in the national stage. She stated that all of these comments make the WFF a political event. Vicky expressed that it was deceiving that the Iron County Commission were listed on the website as a sponsor, but that the event is also asking for money. The event has been advertised for 2 months, yet nothing was ever on a commission agenda. She noted that the only way she found out about it was via a newspaper article. Vicky expressed that excess monies in the funds should go toward established events such as the Shakespeare Festival or the Livestock and Heritage Festival. Vicky concluded that it would be very premature to support the WFF. Dale Brinkerhoff noted the TRT money is distributed by the TRT board and not the Iron County Commission. Dale noted that the TRT board felt as though the WFF was, in fact, a cultural event, that speaks to our Western Heritage. He expressed that the WFF was a good opportunity for people from surrounding counties to come, and speak to the heritage they enjoy, and the freedoms they espouse.

Alma Adams noted that other funds for the WFF were: \$32,000 from sponsors, \$25,000 from surrounding counties, \$50,000 from event revenue, \$3,000 from miscellaneous receipts, with \$20,000 coming from Iron County TRT funds.

Larry Daniels, a resident of Cedar City, noted that he was the coach of the Parowan High School Girls Soccer team. Larry echoed the comments of Vicky Tyler in saying that the Hope of America, and Livestock and Heritage Festival were non-partisan, wonderful events deserving of TRT funds. He also spoke of the Valentine Peak soccer pitch. Larry noted that the pitch, located in Parowan, is an exceptional natural field where even professional teams have practiced. He noted that the sprinkler boxes posed a safety hazard, and could be moved for \$3,000. Also, that tournaments can only be played during the daytime because no lights are yet installed. Larry expressed that the TRT monies would be better spent improving existing infrastructure, than on an event. He concluded by imploring the commissioners to make better use of the TRT funds. Dale Brinkerhoff asked whether Mr. Daniels would request funds from the TRT board, to which he replied he would.

Laurel Heap Glidden, a resident of Cedar City, expressed her opposition of using taxpayer dollars for the WFF, even though she did not disagree with the event. Laurel expressed that there were more appropriate uses for the money, such as the Livestock and Heritage Festival. She felt as though the WFF was divisive, and would willingly invite a certain element, such as militia groups, to our community. Laurel cited the example of St. George, where she takes her family to play and spend money. She expressed that TRT monies should be used to draw people to Iron County.

Alma Adams made a motion to postpone any action on the budget amendments until the October 12th meeting for consideration of the comments offered and time to study the budget. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

NOTIFICATION OF C.U.P. FOR A TELECOM. SITE IN PAROWAN

Reed Erickson notified the commissioners of a Conditional Use Permit (CUP) for a telecommunications site at 716 Honey Lane, in Parowan. This request was from Verizon Wireless. Reed explained that it would be a 150 foot, latticed tower. Reed noted that the CUP would be heard by the Iron County Planning Commission and was before the Iron County Commission for notification and to address any potential concerns. He explained that the area was zoned as Light Industrial, which would allow for such a site.

Reed also explained that no letters had been received in response to the notification made. Alma Adams asked whether the proximity to the airport would necessitate a light on the tower.

Reed replied that the Iron County Planning Commission goes by the aviation requirements, in terms of lighting. Reed concluded by noting that Verizon Wireless said the site would greatly enhance service in the Parowan area.

NOTIFICATION OF C.U.P. FOR SOLAR POWER PLANTS

Reed Erickson notified the commissioners of a Conditional Use Permit (CUP) for 3 separate, 3 megawatt solar power plants requested by REUT Origination, LLC. These plants would be located in Sec. 20, T36S, R12W, SLM; Sec. 15, T36S, R12W, SLM, and Sec. 19 and 20, T36S, R12W SLM. Reed explained that these power plants would all be on private property, and would be developed by SunEdison, a major and experienced developer in Iron County. Cindy Bulloch, Iron County Assessor, asked whether the parcels were already configured to match the power plant footprints. Reed Erickson replied that the CUP would require subdividing the land.

UPDATE FROM SOUTHWEST APPLIED TECHNOLOGY COLLEGE

Brennan Wood and Neal Smith gave a report on the progress of the Southwest Applied Technology College's (SWATC) new campus. Brennan explained that most of the students of SWATC come from the four counties of Iron, Beaver, Garfield and Kane. He noted that most stay in the area after graduation. He touted an 87% placement rate. Brennan noted that SWATC provides a quick program with minimal cost. Also, high school students can attend for free. Brennan expressed the need in the workforce for skilled workers.

Brennan Wood noted that applied technology colleges have not historically been fund raisers, but some of the programs are very expensive. For example, the Practical Nursing program at SWATC would cost \$400,000 annually. Neal Smith noted that a single simulation mannequin costs \$80,000. He expressed the desire to provide state of the art training. He expressed hope in an application for funding to the Restaurant Tax Cooperative. Brennan concluded by stating that they hoped to take possession of the new campus during the last week of November.

PERSONAL PROPERTY ITEMS

Cindy Bulloch, Iron County Assessor, requested approval to attach unpaid business personal property accounts to the real property accounts' November tax bills. Cindy explained that the delinquencies ranged from a very small amount to multiple years of penalties. She explained that there were a few mobile home owners, whose mobile homes are assessed as personal property. Most of these owners do not own the land their mobile home sets on. Cindy noted that only those delinquent mobile home owners that also own the land their mobile home sets on will have the personal property taxes attached to their real property taxes. Alma Adams made a motion to approve the attachment of unpaid business personal property taxes and unpaid mobile home personal property to the real property accounts listed by Cindy Bulloch, Iron County Assessor. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Cindy Bulloch led a discussion with the commissioners regarding Iron County releasing its claim to certain personal property accounts with minimal resale value. Cindy noted that the expense involved in seizing these minimal value properties would exceed their value. She noted that by releasing the claim to these parcels it might be unfair to other taxpayers whose taxes owing must be paid or risk their property being seized. Chad Nay, Iron County Building Official and Zoning Administrator, echoed this sentiment and expressed concern over the precedent releasing such claims would set. Cindy explained that several Wasatch Front counties have a policy in place that allows them to release the interest in such properties, saving a tremendous amount of time and expense.

Cindy Bulloch led a discussion regarding collection attempts on business personal property accounts. She and the commissioners reviewed the list of businesses that were delinquent in their personal property taxes.

PERSONNEL

Betsy Cummings presented advancement for Shawn Peterson to Deputy II, to be effective September 27, 2015 for approval. Also in the Sheriff’s Department, Betsy presented advancement for Jon Bettridge to Deputy II to be effective September 27, 2015. For the Building Department, Betsy presented the name of Nathan Dennett as a new hire in the position of Facilities Maintenance Worker. This was a new, full time position with a start date to be determined. Alma Adams made a motion to approve the advancements of Shawn Peterson and Jon Bettridge to Deputy II, effective September 27, 2015, and to approve the new hire of Nathan Dennett as full time Facilities Maintenance Worker, starting September 28, 2015. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

APPROVAL OF INTERLOCAL AGREEMENT WITH BRIAN HEAD TOWN FOR BUILDING INSPECTION SERVICES

Chad Nay presented an interlocal agreement with Brian Head Town to provide building inspection services. Alma Adams made a motion to approve the interlocal agreement as presented with Brian Head Town for building inspection services. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

SURPLUS VEHICLE BID OPENING


Jon Whittaker presented the results of the surplus vehicle bidding. He noted that historically, if a bidder is the high bidder, they have been allowed to defer to the next highest bidder if they win multiple vehicles. Alma Adams made a motion to accept the 4 high bids made on the surplus vehicles, allowing the high bidder on multiple vehicles to defer to the next highest bidder if they choose. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

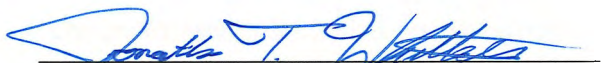
DISCUSSION REGARDING PENDING OR REASONABLY IMMINENT LITIGATION

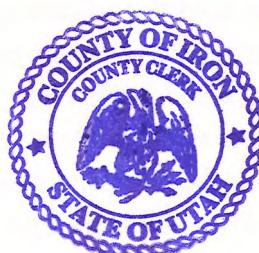
Alma Adams made a motion to close the meeting per UCA § 52-4-205(1c), for pending or reasonably imminent litigation. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

ADJOURNMENT

After coming out of closed session, Alma Adams made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING
October 12, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 12, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
Alma L. Adams	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Jon Whittaker.

APPROVAL OF MINUTES

David Miller made a motion to approve the minutes of the Commission Meeting held April 27, 2015. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye. Alma Adams made a motion to approve the minutes of the Special Commission meeting held April 29, 2015. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

DEPARTMENTAL REPORTS

Chad Reid, USU Extension, introduced Becky Barton as the new 4H Coordinator. There were 29 4H camps held this summer. He stated that the Extension had a strong Teen Council and was able to rehire Angela Hackwell to help. The Youth and Family program continues to help kids after school, and was able to get more grants to help with the program. Chad reported he is within budget at 66%. He is interested in buying an economy car to help with gas and mileage.

Stefanie Furnival, Children’s Justice Center (CJC), reported the Justice Center is busy since Iron County has included Kane and Beaver Counties. Stefanie stated their caseload went from 190 cases in 2014 to 237 cases in 2015 in Iron County. Beaver County had 52 cases in 2015 when they were brought in, and were currently at 42 cases. Daphne Sullivan, a Nurse Practitioner employed by Primary Children’s Medical Center, is on the medical staff at the CJC. Stefanie stated she was able to obtain two grants and used one for a part-time victim coordinator in Beaver County, and the other to hire a full time Victim’s Advocate, Angelica Judd. She reported that the CJC provided interviews for 138 girls and 99 boys, 288 secondary victims were also served. There were: 70 cases of physical abuse; 27 cases of domestic violence; 20 drug endangerment cases and 1 other abuse case. Of those cases, 66 children were ages 0-6, 68 were ages 7-12, 94 were ages 13-18, and 9 victims were over the age of 18. There were 190 White, 23 Hispanic, 3 Black, 10 Native American, 10 Mixed Ethnic, and 1 Asian. 149 were abused by a parent or stepparent, 7 by the parent’s boyfriend or girlfriend, 51 by another relative, 77 by another known person, and 4 were unknown. Among the 288 perpetrators identified, 192 were males, 96 were females, 14 were under the age of 13, 36 were ages 13-17, and 232 were ages 18 or over, with 6 unknown. She said there are 22 CJC’s throughout Utah. Dale Brinkerhoff expressed that everyone needs to remember that each of those numbers has a face.

Mark Gower, Iron County Sheriff, began his report by stating that morale in his department is the lowest that it has ever been, that deputies feel there is no protection due to the commissioners’ over reaching policies and procedures. Sheriff Gower noted that on July 16, 2015, the revised personnel policy stated that, “it gives the Commission the ability to terminate any exempt employee without cause, with no ability to appeal,” and furthermore gives the commissioners the ability to change policy at “any time for any reason.” He stated that the Iron County Sheriffs’ Office would not be signing off on the new policy and several members of his staff were considering organizing under union representation. Sheriff Gower expressed that his staff were being asked to put their lives in danger for poverty level salaries. He was concerned about the inconsistency of the wage scale. He continued, saying that adjustments needed to be made so everyone would be treated fairly. Sheriff Gower stated he had the desire to work

together with the commissioners to reach a common goal and encouraged the commissioners to look over the charts he made available to them.

Sheriff Gower reported that the Sheriff's Office was about 7% under for that time of year. He reported having to work a bit of overtime to support the Iron County Fair. David Miller asked whether the two vehicles in evidence from the Beidermann shooting were released from being in evidence. Sheriff Gower explained that the case was still pending, and once it was adjudicated, then the vehicles could be released.

David Miller, Iron County Commissioner, reported attending the 10th Circuit Court of Appeals hearing in Denver concerning the Utah Prairie Dog (UPD) The U.S. Fish and Wildlife (USFW) argued that they should continue to have management control of the UPD because of the commercial value the dogs have. When pressed by the judge, the USFW solicitor stated that the adverse effect on the value of the land with UPD causes an economic affect. Because of the economic impact, the UPD has economic value and is therefore subject to interstate commerce. David explained that the case would play out over the next months.

David Miller also attended a meeting on Public Lands through SUU. David addressed the students regarding how public lands issues affect counties. David also attended a meeting of the Western Interstate Region Board, reporting that the Environmental Protection Agency (EPA) published a new rule entitled "Waters of the United States" (WOTUS). David expressed frustration at the over reach of the rule. He explained that the new rule may affect Iron County's ability to mow along highways. David explained that WOTUS would even affect the ability to access roads under RS-2477. David expressed that the EPA did not have the authority to impose this rule on the states.

Alma Adams reported he attended the Utah Anti-bullying Coalition. He expressed that bullying was a growing problem and needed to be addressed.

PUBLIC COMMENTS

Jillynne Stevens, a resident of Parowan City, expressed that she is strongly & urgently opposed to the Iron County Commissioners spending tax payer money in support of the Western Freedom Festival (WFF). The use of tax payer funds to promote any political agenda is not appropriate. She applauded the Iron County School District (ICSD) for pulling out of the event.

Justin Miller, Executive Director and Field Representative for the American Federation of State, County and Municipal Employees, stated the Iron County Sheriffs' Office had started the unprecedented step to unionize. He invited the Commissioners to begin the collective bargaining process under UCA § 34-34-16. Justin explained that the intentions of the Sheriff's Office employees are to become partners with the Iron County Commission, to become engaged employees, and help in ways to save money. He concluded by quoting Ronald Reagan, "When free unions and collective bargaining are forbidden, freedom is lost."

Vicki Tyler, a resident of Cedar City, expressed that she was against the WFF and feels the Iron County Commission was out of line in sponsoring the event. She was opposed to tax monies being spent on the event. Vicky explained Title 3, Section 8 of the Iron County code does not list anywhere that the Transient Room Tax (TRT), could be used for such event. She felt the commissioners were breaking their own code.

Sheriff Mark Gower noted the presence of many Iron County Sheriff employees at the meeting. He expressed that they were a great team. Sheriff Gower noted that his employees would have organized with or without his support. He explained that they have genuine fears and concerns that need to be addressed.

Bruce Washburn expressed concern with the commissioners sponsoring a political event. Bruce noted that on the Facebook page for the WFF, any progressive ideas were scorned. He expressed that the agenda was full of people with a singular perspective. Bruce also objected to the Iron County Commission's support of the American Lands Council.

Jeff Malcom explained that the Sheriff's Office is not looking for a fight but to have a voice and be able to work out this issue. He expressed his pride to wear the uniform.

Mathew Fox stated that he agreed with what Jeff Malcom said. The Sheriff simply desires to make the deputies' jobs better.

Dale Brinkerhoff stated the commissioners have no objection to unionizing. Dale expressed a commitment to be consistent throughout the departments and not give special favors to one department. He affirmed that the Iron County Commission would not enter into collective bargaining.

Justin Miller explained that collective bargaining is not for wages, but rather for improving working conditions and morale of the employees. He encouraged the commissioners to reconsider collective bargaining.

Dale Brinkerhoff explained that the commissioners believe they can deal directly with the Sheriff Department and not involve a third party.

PUBLIC HEARING TO REVIEW RECOMMENDED BUDGET ADJUSTMENTS OF THE ADOPTED IRON COUNTY BUDGET FOR CALENDAR YEAR 2015

Dale Brinkerhoff, Commission Chair, declared the public hearing to review the recommended budget adjustments for the 2015 Iron County budget to be open.

Gene Adams, County Auditor, reported an increase of \$274,740 to the general fund due to additional grants that were awarded. Gene noted that the State of Utah provided \$2.8 million in Corridor Preservation funds, which would be used on the belt route West of Cedar City. \$400,000 of which was budgeted for belt route, plus \$452,000 requested by Cedar City for Coal Creek right of way improvement, leaving \$1.9 Million in reserve. Gene reported a \$20,000 transfer out of the TRT fund for the WFF, and adjustments were made to the ambulance fund. Gene Adams reported that the total amendment was \$3,181,232. Gene noted that about \$2 million would remain in reserve for future years.

David Miller explained that the Corridor Preservation Fund came from vehicle registrations and that the State of Utah had accumulated a balance over 10 years, which was remitted to the county in 2015. David also explained that the \$50,000 of the TRT funds went to advertising not related to the WFF. He explained that "Event Revenue," as shown on the amended budget was a projection of revenues from ticket sales, etc., not tax dollars. David noted that the WFF was a multi-county event, with 7 other counties participating. He explained that there was an anonymous donor that donated \$22,000 toward the acquisition of tickets. David explained that Article 1, Section 27 of the Utah State Constitution says it is important to return to fundamental principles in order to maintain a free country. He noted that Representative Ken Ivory would be speaking, as well as an individual from Zion National Park.

Jillynne Stevens expressed that it was a false dichotomy to compare the WFF to the Arts, and believes the event is political.

Vicki Tyler stated that she feels the commission agenda has changed considerably. The money could be used for many other things, not the WFF.

Larry Daniel, Parowan High School Soccer Coach, noted that the Parowan girls' soccer team took 2nd in region and they will be playing St. Joseph in St. George on Wednesday for the start of the playoffs and is hoping for community support. Larry extolled the quality of the pitch in Parowan. He noted that it does not have lights, and TRT monies could provide that, thus being a boon to the area by bringing teams and tournaments in. He expressed frustration at his poor chances for TRT money, because the TRT board is appointed by the commissioners, and commissioners' priorities would take precedent over something like soccer pitch lights in Parowan. Larry expressed that the WFF decision reeked of self-dealing.

David Miller replied that the Commissioners work out many grants and programs around Iron County. Those monies are being used far and wide, with a majority of the money going to the Southern Utah Music & Arts (SUMA), and Shakespeare buildings. David noted that very infrequently do you see an event where the commissioners try to promote this kind of activity where it is initiated at the County level.

Larry Daniel stated that he understood constitutional law, and that an event that promotes one ideology on its web site, brings issues of excessive entanglement. He feels there is a problem when it is funded by a commissioner who appoints the board that recommends the money. Larry questioned whether the County Attorney had passed on this issue. He noted that there were laws against self dealing in the Utah code. Larry stated he feels the real issue is that this event is

founded by a commissioner that has a particular pecuniary interest if there is a loss. He concluded by expressing that the TRT funds would be better spent on something like lights and improvements for the Parowan soccer pitch.

David Miller made a motion to approve the amended budget as explained. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

ADJOURN AS THE IRON COUNTY COMMISSION

CONVENE AS THE GOVERNING BOARD OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (ICCD&RA)

Dale Brinkerhoff, Iron County Commission Chair, declared the convening of the Governing Board of the Iron County Community Development and Renewal Agency.

DISCUSSION AND ACTION REGARDING ICCD&RA RESOLUTION 2015-10 APPROVING AND ADOPTING THE COMMUNITY DEVELOPMENT PROJECT AREA PLANS FOR THE FREEMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS AS THE OFFICIAL PLANS FOR THEIR RESPECTIVE PROJECT AREAS

Adam Long, of Smith Hartvigsen, counsel for the ICCD&RA, explained that there were two projects being developed by SunEdison, Fremont Solar and Rush Lake Solar. He reported that the parcel lines matched the engineering, and that the required public notices and hearings were done. 3 projects had previously been adopted and the last 2 projects were put on hold to work on the parcel alignment. He explained that the ICCD&RA may adopt a resolution approving the project area plans and a resolution approving the interlocal agreements. Adam clarified that the interlocal agreements allow the tax increment monies to be diverted from the various taxing entities to the ICCD&RA to be rebated as a tax incentive to the solar developers. He noted that the participation agreements with SunEdison which include the property tax incentive that was offered from the agency to SunEdison to encourage development of these projects. Adam also explained that Iron County may adopt the ordinance, which would be the final approval for these project areas and the approval of the interlocal agreements.

Alma Adams made a motion to approve ICCD&RA Resolution 2015-10 Approving and Adopting the Community Development Project Area Plans for the Fremont Solar and Rush Lake Solar Community Development Project areas as the official plans for their respective project areas. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

ICCD&RA RESOLUTION NO. 2015-10

A RESOLUTION APPROVING AND ADOPTING THE COMMUNITY DEVELOPMENT PROJECT AREA PLANS FOR THE FREEMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS AS THE OFFICIAL PLANS FOR THE RESPECTIVE PROJECT AREAS.

WHEREAS pursuant to the provisions of the Utah Limited Purpose Local Government Entities - Community Development and Renewal Agencies Act (the “Act”), specifically Chapter 4 of Title 17C of the Utah Code Annotated (“UCA”), on June 8, 2015, the Iron County Community Development and Renewal Agency (the “Agency”) adopted a resolution designating the Fremont Solar and Rush Lake Solar Community Development Project Areas (the “Project Areas”) and calling for the preparation of project area plans; and

WHEREAS the Project Area Plans (the “Draft Plans”) have been prepared for the Project Areas pursuant to UCA § 17C-4-103; and

WHEREAS the Agency held, on July 27, 2015, a duly noticed public hearing pursuant to UCA § 17C-4-401 to allow public comment on the Draft Plans and whether each should be revised, approved, or rejected; and to receive all written and hear all oral objections to the Draft Plans; and

WHEREAS having received and heard all commentary on and objections to the Draft Plans submitted for its consideration, the Agency has passed upon such objections as it has received and has made such modifications, amendments, and/or emendations to the Draft Plans as it deems appropriate, if any; and

WHEREAS the Agency has made relevant findings concerning the amount of opposition, if any, to the Draft Plans by owners of real property within the Project Areas.

NOW, THEREFORE, BE IT RESOLVED BY THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AS FOLLOWS:

SECTION 1 Legal Description.

§ 1.1 The boundaries of the Project Areas are delineated on the Project Area maps included in the Draft Plans attached hereto as **Exhibits A and B**, respectively, and are legally described as set forth in the Draft Plans.

SECTION 2 The Agency's Purposes and Intent with Respect to the Project Area.

The purposes and intents of the Agency with respect to the Project Areas are as follows:

§ 2.1 To satisfy the purposes of the Act, as defined therein, by promoting, creating, and/or retaining jobs through the planning, design, development, construction, rehabilitation, or business relocation within the Project Areas, as well as the provision of office, industrial, manufacturing, warehousing, distribution, parking, public, or other facilities, or other improvements that benefit the state or a community.

§ 2.2 To increase the County's tax base as well as its commercial front so as to improve both opportunity and quality of life for all of its citizens.

§ 2.3 To promote, encourage, and bring to fruition, the development within the Project Areas of a commercial development comprised of large, up-scale, reputable commercial concerns.

§ 2.4 To stimulate the economy of Iron County and the surrounding area.

§ 2.5 To provide for the installation of needed infrastructure, if and as necessary, for development within the Project Areas.

§ 2.6 To take any or all additional steps which may be appropriate or necessary to promote or further the aim of improving the Project Areas (and, indirectly, of surrounding areas).

SECTION 3 Designation, Adoption, and Incorporation of the Plans.

§ 3.1 The Draft Plans for the Fremont Solar and the Rush Lake Solar Community Development Project Areas, as modified to incorporate changes recommended by the Iron County Planning Commission, affected taxing entities, and owners of property within the Project

Areas, if any, are hereby designated the *Fremont Solar and Rush Lake Solar Community Development Project Areas* (the “**Official Plans**”), and are incorporated herein by this reference.

§ 3.2 The Agency hereby officially approves and adopts the Official Plans for the Project Areas.

SECTION 4 Required Findings.

§ 4.1 A need exists to effectuate a public purpose; to wit, the exercise of the statutorily enacted community development mechanism for the benefit of the citizens of Iron County.

§ 4.2 Benefit to the public shall accrue from the execution of the Official Plans, as each project undertaken thereunder shall be subject to the analysis described in Utah Code § 17C-4-103.

§ 4.4 The adoption and carrying out of the Official Plans is economically sound and feasible.

§ 4.5 The Official Plans conform to the Iron County General Plan.

§ 4.6 Carrying out the Official Plans will promote the public peace, health, safety, and welfare of Iron County.

SECTION 5 Submission of the Official Plans to the Iron County Commission for Adoption by Ordinance.

§ 5.1 Pursuant to Utah Code §§ 17C-4-102 & 105, the Agency Board hereby submits the Official Plans to the Iron County Commission for review and adoption.

SECTION 6 Recording and Transmittal.

§ 6.1 Pursuant to Utah Code § 17C-4-107, the Agency Staff is hereby directed and authorized to take the following actions within 30 days after adoption of the Official Plans by the Iron County Commission:

a. to record with the Iron County Recorder a document containing a description of the land within each Project Area, a statement that the Official Plan for the Project Area has been adopted; and the date of its adoption by the County Commission; and

b. to transmit a copy of the description of the land within each Project Area, a copy of the County Commission ordinance adopting the Official Plan, and a map indicating the boundaries of the Project Area to each of the following: (i) the auditor and assessor of the county in which the project area is located; (ii) the officer or officers performing the function of auditor or assessor for each taxing entity, if any, that does not use the county assessment roll or collect its taxes through the county; (iii) the legislative body or governing board of each taxing entity; (iv) the State Tax Commission; and (v) the State Board of Education.

SECTION 7 Execution of the Plans.

§ 7.1 Following adoption of the Official Plans by the Iron County Commission, the Agency shall proceed to carry out the Plans.

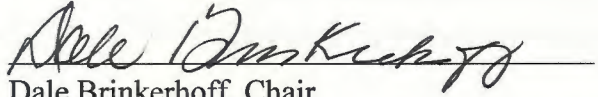
SECTION 8 Directions to the Agency Staff.

§ 8.1 The Agency Staff is hereby directed and authorized to take all such actions as necessary to effectuate the purposes and aims of this resolution.

SECTION 9 Effective Date

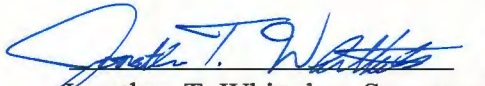
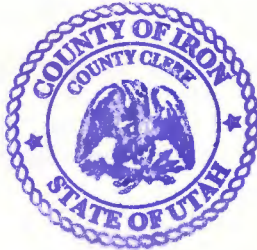
§ 9.1 This Resolution shall take effect upon its adoption.

APPROVED AND ADOPTED this 12th day of October, 2015.



Dale Brinkerhoff, Chair
Iron County Community Development and Renewal Agency

Attest:


Jonathan T. Whittaker, Secretary

DISCUSSION AND ACTION REGARDING ICCD&RA RESOLUTION 2015-11 APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND IRON COUNTY, THE IRON COUNTY SCHOOL DISTRICT, THE CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT, AND THE IRON COUNTY UNINCORPORATED AREA SERVICES DISTRICT #2 REGARDING THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS

Danny Stewart, Economic Development Director, explained that Resolution 2015-11 deals with the approval of the interlocal agreement previously discussed and has been discussed with the other Resolution.

Alma Adams made a motion to approve ICCD&RA Resolution 2015-11 approving interlocal agreements between the Iron County Community Development and Renewal Agency and Iron County, the Iron County School District, and the Central Iron County Water Conservancy District, and the Iron County Unincorporated Area Services District #2 regarding the Fremont Solar and Rush Lake Solar Community Development Project Areas. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

ICCD&RA RESOLUTION NO. 2015-11

A RESOLUTION APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND IRON COUNTY, THE IRON COUNTY SCHOOL DISTRICT, THE CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT, AND THE IRON COUNTY UNINCORPORATED AREA SERVICES DISTRICT #2 REGARDING THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS.

WHEREAS pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the "Act"), public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually

advantageous agreements for joint and cooperative actions, including the sharing of tax and other revenues; and

WHEREAS the Iron County Community Development and Renewal Agency (the “**Agency**”) and Iron County, the Iron County School District, the Central Iron County Water Conservancy District, and the Iron County Unincorporated Area Services District #2 (the “**Taxing Entities**”) are “public agencies” for purposes of the Act; and

WHEREAS after careful analysis and consideration of relevant information, the Agency desires to enter into interlocal agreements with the Taxing Entities (the “**Interlocal Agreements**”) whereby the Taxing Entities consent to the Agency receiving for an extended period of time a portion of the tax increment produced by the Taxing Entities’ levies on real and personal property within the Fremont Solar and Rush Lake Solar Community Development Project Areas (the “**Project Areas**”); and

WHEREAS Section 11-13-202.5 of the Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

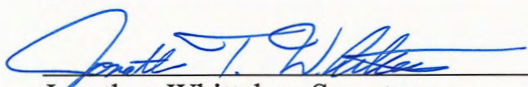
NOW, THEREFORE, BE IT RESOLVED BY THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AS FOLLOWS:

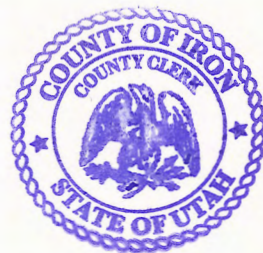
1. The Interlocal Agreements, each substantially in the form attached hereto as **EXHIBITS A and B** are approved and shall be executed by the Agency.
2. Pursuant to Section 11-13-202.5 of the Act, the Interlocal Agreements have been submitted to legal counsel of the Agency for review and approval as to form and legality.
3. Pursuant to Section 11-13-209 of the Act and upon full execution of each Interlocal Agreement, a duly executed original counterpart thereof shall be filed immediately with the keeper of records of the Agency.
4. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED this 12th day of October, 2015.


Dale Brinkerhoff, Chair
Iron County Community Development and Renewal Agency

Attest:


Jonathan Whittaker, Secretary



DISCUSSION AND POSSIBLE ACTION ON ICCD&RA RESOLUTION 2015-12 APPROVING PARTICIPATION AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND FREMONT SOLAR, LLC AND RUSH LAKE SOLAR, LLC REGARDING THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS.

Danny Stewart, Economic Development Director, stated Resolution 2015-12 deals with the participation agreements previously discussed.

David Miller made a motion to approve ICCD&RA Resolution 2015-12, Approving Participation Agreements between the Iron County Community Development and Renewal Agency and Fremont Solar, LLC and Rush Lake Solar, LLC regarding the Fremont Solar and Rush Lake Solar Community Development Project Areas. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

ICCD&RA RESOLUTION NO. 2015-12

RESOLUTION APPROVING PARTICIPATION AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND FREMONT SOLAR, LLC AND RUSH LAKE SOLAR, LLC REGARDING THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS.

WHEREAS the Iron County Community Development and Renewal Agency (the “**Agency**”) has been created and operates pursuant to Utah Code Annotated (“UCA”) Title 17C, the Community Development and Renewal Agencies Act (the “**Act**”), for the purpose of promoting urban renewal, economic development, and community development projects undertaken within the Agency boundaries; and

WHEREAS under authority of the Act, the Agency created the Fremont Solar and Rush Lake Solar Community Development Project Areas (the “**Project Areas**”) and adopted a Plan for each project area; and

WHEREAS the Agency is authorized to enter into agreements with property owners, governmental entities, private entities and others;


WHEREAS the Agency finds the participation agreements between the Agency and Fremont Solar, LLC and Rush Lake Solar, LLC (the “**Participation Agreements**”); to be in harmony with and consistent with the Plan for each Project Area and in the best interests of the Agency and Iron County.

NOW, THEREFORE, BE IT RESOLVED BY THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AS FOLLOWS:

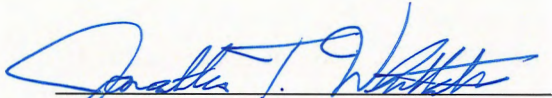
1. The Agency, having reviewed the matter, hereby approves the Participation Agreements substantially in the form attached hereto as **Exhibits A and B**, and authorizes the Chair and Secretary to execute each Participation Agreement on behalf of the Agency. Each Participation Agreement is approved with such additions, modifications, deletions or other changes as may be deemed necessary or appropriate and approved by the Chair of the Agency, whose execution thereof on behalf of the Agency shall conclusively establish such necessity, appropriateness and approval with respect to all such additions, modifications, deletions and/or other changes incorporated therein.

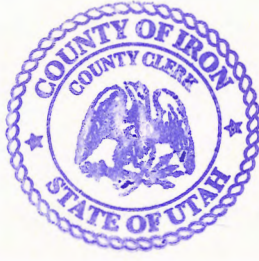
2. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED on this 12th day of October, 2015.


Dale Brinkerhoff, Chair
Iron County Community Development and
Renewal Agency

Attest:


Jonathan Whittaker, Secretary



ADJOURN AS THE GOVERNING BOARD OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

RECONVENE AS THE IRON COUNTY COMMISSION

Dale Brinkerhoff, Iron County Commission Chair, declared the Governing Board of the Iron County Community Development and Renewal Agency closed and reconvened as the Iron County Commission.

ORDINANCE 2015-8 ADOPTING THE PROJECT AREA PLANS FOR THE FREEMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS, AS APPROVED BY THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, AS THE OFFICIAL COMMUNITY DEVELOPMENT PROJECT AREA PLANS FOR THE PROJECT AREAS, AND DIRECTING THAT NOTICE OF SUCH ADOPTION BE GIVEN AS REQUIRED BY STATUTE.

Danny Stewart, Economic Development Director, explained Ordinance 2015-8 is to adopt the Project area plans with the property boundaries included.

David Miller made a motion to approve Ordinance 2015-8, Adopting the Project Area Plans for the Fremont Solar and Rush Lake Solar Community Development Project Areas, as approved by the Iron County Community Development and Renewal Agency, as the official Community Development Project areas plans for the project areas, and direction that notice of such adoption be given as required by statute. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

IRON COUNTY

ORDINANCE NO. 2015-8

AN ORDINANCE ADOPTING THE PROJECT AREA PLANS FOR THE FREEMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS, AS APPROVED BY THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, AS THE OFFICIAL COMMUNITY DEVELOPMENT PROJECT AREA PLANS FOR THE PROJECT AREAS, AND DIRECTING THAT NOTICE OF SUCH ADOPTION BE GIVEN AS REQUIRED BY STATUTE.

WHEREAS the Iron County Community Development and Renewal Agency (the “**Agency**”), having prepared Project Area Plans (the “**Plans**”) for the Fremont Solar and Rush Lake Solar Community Development Project Areas (the “**Project Areas**”) pursuant to Utah Code Annotated (“**UCA**”) § 17C-4, and having held on July 27, 2015 the required public hearing on the Plans pursuant to UCA § 17C-4-401, has adopted on this same date the Plans as the Official Community Development Project Area Plans for the Project Areas; and

WHEREAS Section 17C-4-105 of the Utah Limited Purposes Local Government Entities – Community Development and Renewal Agencies Act (the “**Act**”) mandates that, before a community development project area plan approved by an agency under UCA § 17C-4

may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency; and

WHEREAS the Act also requires that certain notice is to be given by the community legislative body upon its adoption of a community development project area plan under UCA § 17C-4-107.

NOW, THEREFORE, BE IT ORDAINED BY THE IRON COUNTY COMMISSION AS FOLLOWS:

1. The Iron County Commission hereby adopts and designates the Plans for the Fremont Solar and Rush Lake Solar Community Development Project Areas, as approved by the Agency on this same date, as the official plans (the “**Official Plans**”) for the Project Areas, the respective boundaries of which are shown and described on the legal descriptions and maps attached hereto as **Exhibits A and B** and incorporated herein by this reference.

2. Iron County Commission and Agency staff are hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-4-106, substantially in the form attached hereto as **Exhibit C**, whereupon the Official Plans shall become effective under UCA § 17C-4-106.

3. Pursuant to UCA § 17C-4-106, the Agency may proceed to carry out the Official Plans as soon as each becomes effective.

4. This ordinance takes effect immediately upon publication and recording.

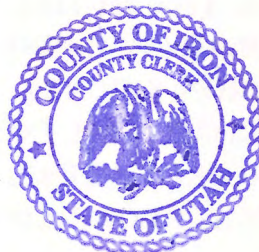
DATED this 12th day of October, 2015.

BY THE IRON COUNTY COMMISSION:


Dale Brinkerhoff, Chair

ATTEST:


Jonathan T. Whittaker, County Clerk



Voting:

Alma Adams	Aye
Dale Brinkerhoff	Aye
David Miller	Aye

RESOLUTION 2015-9 APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND IRON COUNTY REGARDING THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS.

David Miller made a motion to approve Resolution 2015-9, Approving Interlocal Agreements between the Iron County Community Development and Renewal Agency and Iron County regarding the Fremont Solar and Rush Lake Solar Community Development Project Areas. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

IRON COUNTY

RESOLUTION NO. 2015-9

A RESOLUTION APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND IRON COUNTY REGARDING THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS.

WHEREAS pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the “**Act**”), public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements for joint and cooperative actions, including the sharing of tax and other revenues; and

WHEREAS the Iron County Community Development and Renewal Agency (the “**Agency**”) and Iron County, the Iron County School District, the Central Iron County Water Conservancy District, and the Iron County Unincorporated Area Services District #2 (the “**Taxing Entities**”) are “public agencies” for purposes of the Act; and

WHEREAS after careful analysis and consideration of relevant information, the County desires to enter into interlocal agreements with the Agency (the “**Interlocal Agreements**”) whereby the Taxing Entities consent to the Agency receiving for an extended period of time a portion of the tax increment produced by the Taxing Entities’ levies on real and personal property within the Fremont Solar and Rush Lake Solar Community Development Project Areas (the “**Project Areas**”); and

WHEREAS Section 11-13-202.5 of the Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

NOW, THEREFORE, BE IT RESOLVED BY IRON COUNTY AS FOLLOWS:

The Interlocal Agreements, substantially in the form attached hereto as **EXHIBITS A and B** are approved and shall be executed by the County.

2. Pursuant to Section 11-13-202.5 of the Act, each Agreement has been submitted, or will be submitted prior to execution, to legal counsel of the County for review and approval as to form and legality.

3. Pursuant to Section 11-13-209 of the Act and upon full execution of each Interlocal Agreement, a duly executed original counterpart thereof shall be filed immediately with the keeper of records of the County.

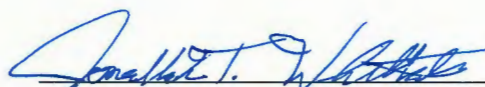
4. This Resolution shall take effect upon adoption.

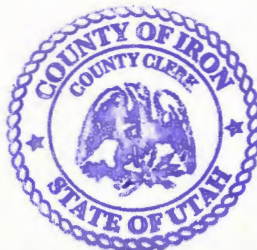
APPROVED AND ADOPTED this 12th day of October, 2015.

BY THE IRON COUNTY COMMISSION:


Dale Brinkerhoff, Chair

ATTEST:


Jonathan T. Whittaker, County Clerk



**REQUEST FOR PROCLAMATION RECOGNIZING OCTOBER AS CHILDHOOD
CANCER AWARENESS MONTH**

David Miller, County Commissioner, read the requested Proclamation “We, the Commissioners Dale Brinkerhoff, Alma Adams, and David Miller, as Commissioners of Iron County, Utah, do hereby recognize the month of October as Childhood Cancer Awareness Month.” David Miller made a motion that the request for Proclamation recognizing October as Childhood Cancer Awareness month be approved. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

**DISCUSSION REGARDING GOVERNMENT RECORDS ACCESS AND
MANAGEMENT ACT (GRAMA) APPEAL REQUEST**

Mike Edwards, County Attorney, explained that in August, Corey Vonberg requested incident field reports related to his criminal case, as well as transcripts from the investigation. Mike reported reviewing the request and found the case files were destroyed by the Iron County Sheriff’s Office and that no field reports or transcripts could be found by the prosecutor on this case. Mike reported that he responded with a letter explaining to Mr. Vonberg that Iron County had sent all the information that was available on his case, and he can appeal to the Iron County Commission. Mr. Vonberg appealed in a letter, dated Sept.22, 2015, requesting the incident field reports, which do not exist. Mike explained they do not send Children’s Justice Court (CJC), reports that are protected by law. He stated that the County has satisfied the entirety of the law with the Government Records Access and Management Act (GRAMA) in this case and that Mr. Vonberg is requesting records that do not exist. Del Schlosser agreed with Mike Edwards. David Miller made a motion that the GRAMA request be denied based on the information given that the records he requested do not exist. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

RESOLUTION 2015-10 REGARDING COLLECTIVE BARGAINING.

Alma Adams read Resolution 2015-10. Alma Adams made a motion to approve Resolution 2015-10 regarding Collective Bargaining. David Miller reiterated that nothing in this Resolution construed that Iron County does not support freedom to assemble. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

GRANT PROPOSAL FOR OLD SPANISH TRAIL SIGNAGE

Mike Worthen, Iron County Natural Resource Specialist, requested permission from the commissioners to apply for a new grant offered by Utah State Parks for signage. Mike explained that the grant would be used for signs along Old Spanish Trail. He noted that the signs would be placed to identify recreational points of interest that auto travelers could go to, and would include

interpretive signs. He explained that the cost of the project was estimated at \$30,000 and was requesting a grant for \$15,000, which would come from a number of sources. Mike mentioned that Al Matheson stated that he could contact several interested parties and organizations to come up with the matching \$15,000. Alma Adams made a motion to approve applying for the signage grant as explained, with the understanding that Al Matheson would collect the matching funds. David Miller added to the motion that this project did not in any way support trampling on any private property owners' rights. Mike Edwards explained that the committee would be working with the private property owners to include them on anything pertaining to their property. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

ADJOURN AS THE IRON COUNTY COMMISSION

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION

Dale Brinkerhoff, Iron County Commission Chair, declared the convening of the Iron County Board of Equalization.

REQUESTING APPROVAL OF BOARD OF EQUALIZATION HEARING OFFICER RECOMMENDATIONS.

Carrie Christiansen, Iron County Deputy Auditor, presented the 2015 Market Value adjustments, which were \$5,934,259 and the Taxable adjustments were \$6,353,415. Carrie reported there were 322 appeals filed in 2015, which was up from 308 in 2014. She noted the General Fund tax loss after adjustments is \$13,132.51, and the Municipal Service Funds tax loss after adjustments is \$6,031.72. The adjusted total tax loss is \$19,164.23. Alma Adams made a motion to approve the Board of Equalization hearing officer recommendations. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye, David Miller, Aye.

ADJOURN AS BOARD OF EQUALIZATION

RECONVENE AS IRON COUNTY COMMISSION

Dale Brinkerhoff, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

PRIOR YEARS ABATEMENT REQUEST. PROPERTY LOCATION OF 1027 N MAIN, SPACE #72.

Cindy Bulloch reported that the gentleman applying for abatement was five years behind on his taxes, and had some mental challenges. Cindy explained that the park owner was concerned the gentleman would burn his trailer down if someone came to seize it. Cindy stated the he would qualify going forward for help, and that she was requesting an abatement for the past taxes in the amount of \$308.70. He had applied going forward. Cindy noted that seizure notices were placed on about 60 trailers around Iron County and most have made payment arrangements. David Miller made a motion to approve the request to abate the back taxes in the amount of \$308.70, and as recommended by Cindy Bulloch, to send a letter asking him to make his account current, but not as a contingency of the approval. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

SURPLUS VEHICLE BID OPENING

Jon Whittaker, Iron County Clerk, stated that this the third round of bidding on the 5 surplus vehicles that had not previously sold. Alma Adams made a motion to approve the bids with the stipulation that the high bidder does not have to take all 5 vehicles. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

FUNDING DISCUSSION AND ACTION REGARDING RS 2477 ROAD ISSUES.

Dale Brinkerhoff explained the county had been in a pilot project with the State of Utah, and the Bureau of Land Management (BLM) in an attempt to resolve the RS-2477 road issue,

which was a “reserve statute.” The County has been in negotiation with different environmental groups, with a facilitator, and seemed to be at an impasse. The county has a request form the facilitator to come back for one additional meeting. Dale explained that the agenda item was to provide an opportunity to allocate funding that might become necessary. Dale confirmed that Iron County would move forward with one more meeting.

PERSONNEL

Leslie Bishop, HR Director, presented the name of Anna Hernandez as part time Assistant Cook in the Council on Aging. Leslie explained that this was a backfill to replace Elyssa Cunningham. Effective September 28th, 2015.

In the Justice Court, Leslie Bishop presented the name of Lori Neighbors as full time Court Clerk. Leslie explained that this was a backfill to replace Lacey Mitchell. Effective September 28th, 2015. Also, Leslie presented the name of Stephanie Sawyer as part time Court Clerk. Leslie explained that this was a backfill to replace Lisa Lowden. Effective September 28th, 2015.

In Corrections, Leslie Bishop presented the name of Beau Johnson, who had completed Peace Officer Standards and Training (POST) and Field Training Officer (FTO) training. Leslie explained that under the Deputy Retention Policy, Beau was eligible for a 3% wage increase. Effective October 11th, 2015.

Alma Adams made a motion to approve the personnel changes in Council on Aging, Justice Court, and Corrections, as explained. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

Proposal of employee benefits for 2016. Leslie reported the recommendations from the County Employee Insurance Committee. The Committee recommended continuing with the high deductible plans with an HSA or HRA. The renewal rate for Select Health was an increase of 17.9%, after being negotiated down from 23%. Leslie noted that Iron County received a refund check from Select Health for \$192,801 and that the Insurance Committee recommended this be applied to 2016 premiums to help cover the cost of the increase. She explained this would reduce the increase from 17.9% to 9.5%. The committee also recommended keeping the Dental Plan, Dental Select, with an increase of 6%, and the Vision Plan, VSP, at an increase of 4%. Leslie noted that Short Term Disability is no longer offered as a voluntary benefit through the County. Dale Brinkerhoff expressed that the commissioners needed to study the options and recommendations further, and that there would be no vote at this time.

Request Approval of Commuter Rule (per IRS Publication 15-B) Addition to Vehicle Policy, Section 30. Leslie Bishop explained that the IRS wanted clarification on the fringe benefits that apply to vehicles. The rule now states: “The Iron County Auditor shall review, interpret, and approve the payroll documentation of fringe benefits provided with the use of take home vehicles according to the Commuter Rule established by the Internal Revenue Service rules and regulations and fair market value of each vehicle. Refer to IRS Publication 15-B, Section 3.” David Miller made a motion to adopt the Commuter Rule as proposed in order to be consistent with IRS policy. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION

Dale Brinkerhoff, Iron County Commission Chair, declared the convening of Iron County Board of Equalization.

DISCUSS AND REVIEW APPLICATIONS FOR LOW INCOME, HOMEOWNERS TAX CREDITS, BLIND AND VETERANS ABATEMENTS FOR THE 2015 TAX YEAR FOR POSSIBLE APPROVAL. SUBMITTED AS OF OCTOBER 9, 2015.

Christene Lowder, Iron County Chief Deputy Auditor, reported there were 1107 abatements, not including mobile homes to be completed by the end of November. The total abated amount overall was \$583,050.13, with one deployed military abatement. Alma Adams made a motion to approve the abatement relief for Low Income, Homeowners Tax Credits, October 12, 2015

Blind, and Veterans for 2015 submitted by the Auditor. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye, David Miller, Aye.

ADJOURN AS BOARD OF EQUALIZATION

RECONVENE AS IRON COUNTY COMMISSION

Dale Brinkerhoff, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

DISCUSSION AND DECISION REGARDING COURTHOUSE REPAIR

Lester Ross, Building Maintenance, stated that two contractors, Carter Brothers and Pendleton Contractors, reported back with evaluations for remodels per square foot, with Carter Brothers quoting \$50-\$150 per square foot. Lester estimated at a \$75/sq.ft. price it would cost approximately \$2,737,500 for the remodel of the Courthouse, which is about 36,500 square feet. He commented that new construction costs about \$200 per square foot. Dale Brinkerhoff requested that Leslie Bishop report back to the commissioners with the expense of the salary adjustment, and for Gene Adams to provide an estimate of how much money the county has to spend. David Miller expressed that the work the county puts into the Courthouse needs to be presentable and to last another 40 years. Dale stated that more discussion was needed on the project.

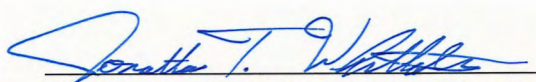
Lester Ross then discussed the remodel of the Fiddler's Canyon Building with the commissioners. Lester reported that most remodeling there is urgent, due to the updates on the bathrooms and access ramp. He noted the occupancy could be up to 100 persons. Lester estimated the cost to be \$90,000.

Chad Nay discussed the planned construction of the Public Safety Building with the commissioners. Chad reported that his office was still working on the plan check and working with Cedar City's requirements.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY SPECIAL COMMISSION MEETING
October 15, 2015**

Minutes of special meeting of the Board of Iron County Commissioners convened at 10:00 a.m. October 15, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
Alma L. Adams	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Nicole B. Rosenberg	County Treasurer
Leslie Bishop	County HR
Cindy Bulloch	County Assessor

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Jon Whittaker.

**CONSIDERATION OF TAX ABATEMENT OR DEFERREL FOR IRON MINE
PROPERTIES OWNED BY BLACK IRON, LLC**

The commissioners discussed a possible Community Development Area (CDA) with Danny Stewart, Economic Development Director, and Steve Gilbert, CEO of Gilbert Development. David Miller stated that a potential CDA would have incentive targets of employment and capital investment. Steve Gilbert expressed that the taxes on the iron mine are too high and paying them in full is not an option. David Miller asked if a CDA could be in place by the end of the year. Danny Stewart explained that they were in the process of getting a CDA drafted but a 30 day public notice period would be required. Danny noted, however, that it would still be possible. He said that a CDA could be structured to help with the tax issues. David Miller stated that the commissioners would only be able to grant abatement, or adopt a CDA. David noted that the commissioners would not be comfortable granting abatement. Cindy Bulloch, Iron County Assessor, stated that there was an ongoing appeal to the Utah State Tax Commission for the 2014 taxes owed. David Miller stated that a CDA would not be able to move forward until the past taxes are paid. Steve Gilbert reiterated that the goal is to return the iron mine to production. David Miller questioned whether a tax deferral could be used without back taxes being paid. Steve Gilbert suggested that the attorneys on both sides meet together to formulate a solution. Both parties agreed to ask their attorneys to work out the details of a potential CDA by the end of the year.

DISCUSSION AND ACTION REGARDING IRON COUNTY FACILITIES REPAIR AND/OR RENOVATION

The commissioners discussed renovations in the Fiddler’s Canyon building with Lester Ross, Building Inspector, Reed Erickson, Iron County Planner, and Chad Nay, Iron County Building Official. They discussed possible locations for tenants that would be displaced during renovations. Lester Ross described the scope and direction that was anticipated for the renovations. The remodel was expected to begin in February, 2016. David Miller made a motion to appoint an architect and notify the State of Utah of the leases that would need to be terminated for renovations. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

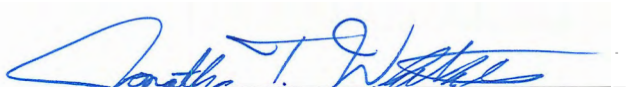
Lester Ross explained that both seismic and asbestos studies should be performed before renovations to the Iron County Courthouse are pursued. Dale Brinkerhoff suggested a review of building requirements in regard to seismic and asbestos. David Miller expressed that the public should decide whether to remodel or rebuild, and should be a ballot question. Dale Brinkerhoff asked Lester Ross to hire an architect to perform the seismic and asbestos studies.

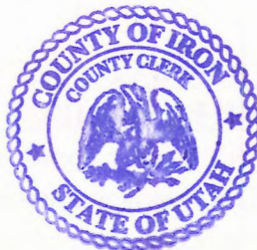
Chad Nay explained that drainage challenges faced the planned Public Safety Building in Cedar City. Chad noted that Cedar City required storm water to be retained, not detained. Reed Erickson explained that the requirement came from the large amount of concrete and asphalt that would be in place. Dale Brinkerhoff replied that he would discuss the matter with Cedar City.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
October 26, 2015**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 26th,
2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commissioner
Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner - Excused
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Leslie Bishop	Human Resources Director
Nicole Rosenberg	County Treasurer
Deborah Johnson	County Recorder
Gene Adams	County Auditor
John S Higley	County Emergency Manager

SYNOPSIS

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Ken Brown.

INVOCATION

An invocation was offered by Alma Adams

DEPARTMENTAL REPORTS

Gene Adams, Iron County Auditor, reported that the Board of Equalization (BOE) was complete and his office was turning their attention to the budget process. They were happy to have Pauline Applegate back full time and wish to thank the Treasurer's Office for loaning Melanie Hall. Gene reported that at 75% of the year, they had spent 72%. There would be some overtime for payroll, and in relation to BOE, as well as getting accustomed to new software. In terms of revenue, the Municipal Services had increase by about 4%, while the General Fund saw an increase of 3 to 4%.

Nicole Rosenberg, Iron County Treasurer, reported on Distribution and Product Sales, reflecting total collected since January 1st. Nicole highlighted that the outstanding uncollected taxes was down 3.7 million, which was the lowest in 14 years. Much of that improvement was credited to accepting credit card payments. She noted that Iron County had billed out over \$39 million in taxes and which should start coming in as they were mailed the previous Friday. For the first time "e-check" was being allowed. Nicole noted that the Braffit's Creek taxes were late again. This development, subdivided as 3200 Subdivision had been mostly bought by a single developer and were working on getting it removed from bankruptcy. Said developer owed roughly \$250,000. Nicole also reflected that Melanie had been a great help for the Auditor's Office. Nicole encouraged the commissioners to maintain good benefits for the employees. She expressed hope that the commissioners were looking into wage increases to retain our excellent employees.

Deborah Johnson, Iron County Recorder, reported that the total recorded documents had held steady during the previous quarter, but that transfer documents had decreased slightly. Debbie noted that Notices of Default and Trustee's Deeds had held steady, but were down from previous years. She observed that people were still borrowing money and building homes. Her collected fees, or "Tender Type" fees were up about \$7200 from the previous quarter. Her budget was doing well. Debbie also spoke of her concerns regarding benefits and wages for the county employees.

Cindy Bulloch, Iron County Assessor, reported that her office was busy as usual. Cindy was very complimentary of Carrie Christiansen and her efforts to accomplish BOE. The 322 appeals represented a great deal of work for the Assessor's Office. She reiterated her invitation for the commissioners to attend a BOE meeting, so they could witness the amount of work and education that happens. Cindy expressed that she had a great staff and encouraged the commissioners to relay their thanks to them. She then discussed solar projects and noted that they require a great deal of effort. Cindy had received a draft of a bill sponsored by Senator Curt Bramble with some input from Luigi Resta, developer of the Red Hills Renewables solar project. She was concerned about how personal property values might affect the tax rate, because of an offset due to the high values. Cindy expressed that Iron County needed to let the Senator know our concerns. She expressed that the bill might allow for some abuse of the Community Development Agency (CDA) processes. Cindy explained that the bill was supposed to accomplish three things: 1) Clean up so there is no upward pressure on the tax rate paid by other taxpayers due to depreciation of solar projects. 2) Remove personal Property from new growth calculations. 3) Allow flexibility in setting up CDA's. Dale Brinkerhoff asked what Iron County needed to do to follow up with the bill to ensure the wording was cleaned up. Cindy Bulloch replied that Iron County could discuss it with the Utah Association of Counties (UAC), Senator Bramble, and persons on the committee. Cindy expressed that dealing with it while it is in committee would be better for us. Regarding equipment used to build solar plants, she expressed frustration that some of the equipment went unclaimed as Personal Property, causing an unfair tax shift to the other taxpayers. Cindy expressed gratitude to the Sheriff's department in helping deliver delinquent tax notices to mobile homes. She reported that her budget was under in the aggregate, but that overtime was creeping up due to staffing shortages. Cindy noted that she would likely be asking for more employees in the near future.

Dale Brinkerhoff, Commission Chair, excused David Miller from the Commission meeting as he had lost his Mother and was attending her funeral. Dale expressed his condolences to Commissioner Miller.

Alma Adams, Iron County Commissioner, reports on the update of Revised Statute 2477 (RS-2477) roads across federal public lands. The pilot program went on for 4.5 years and had to be shut down because conservation groups stepped outside the boundaries. This was a road project from the start, but the conservation groups kept trying to insert wilderness in. We always tried to have faith in them and get them to come to the tables to form an agreement without litigation. They breached the rules and we stepped back from it. It is disappointing but we continue on. The Western Freedom Festival was good with a good turnout for the concert. It was nice to listen to Darryl Worley talk about freedom. The cause of freedom was promoted.

PUBLIC COMMENTS

Bill Pressgrove stated a concern that the commissioners were setting a precedent in funding the Freedom Festival and with the opposition to it they may find that it will be used against them in the future. Dale Brinkerhoff reminded him that the money came from the Room Tax and not the general fund, that he is anxious to see the revenue come in and that maybe they will be able to reimburse that account.

Brandi Washburn attended the Friday conference session and felt it was a really good program. Ms. Washburn suggested that a 501(c)(3) be created so that other companies and counties could facilitate support.

Alma Adams asked if Ms. Washburn felt like the presenters were biased more to one side or the other. Ms. Washburn expressed that the Freedom Festival perhaps opened the door for other issues to be discussed. The major theme was to protect our freedom. She did not feel it was slanted. Alma Adams expressed that there was nothing political in the presentation of money.

Lisa Taylor also attended the conference and was very offended by a few things that were presented. There was one presenter who was Libertarian which she found acceptable. Being a mother of three Iron County School District (ICSD) children, she could understand concerns about a program the 5th grade school children were asked to sing. Ms. Taylor relayed that she attended the School Board Meeting and understood their position and found they are not biased. She expressed that Representative Mike Noel did a fabulous job. She did think the conference was one sided, but also very good.

Bruce Washburn, agreed that the commissioners have left themselves open for attack because they funded something that was one sided. Chris Zinda should not be blamed for the protests as he was not one of the organizers.

PUBLIC LAND ISSUE UPDATE

Ken Brown, a lobbyist from the Western Counties Alliance (WCA) reported: thanked the Clerk's Office for getting him on the agenda. Ken discussed Payment in Lieu of Taxes (PILT) with the commissioners. He noted that for 2014, \$437,000,000 had been appropriated while the 2015 appropriation was \$442,000,000. Iron County was slated to receive \$2,916,896. He expressed that PILT needed legislation to make its full funding permanent. There were even those in Congress that spoke derisively of PILT being a, "Western Welfare Program." Ken also mentioned that in cases of geothermal, the federal government was not returning revenues to counties as discussed. Horse and Burrow issues were key. He noted that Iron County had a particular problem with many roaming horses in the western areas. The Bureau of Land Management (BLM) stated a couple years ago that Utah could handle 2,000 animals statewide. However, Utah has an excess of over 4,000. Ken noted that his firm had been lobbying for the BLM to state a target number and manage to it. Alma Adams noted there is a target number, but that they refuse to manage it. Alma was under the understanding that grazing permittees in Iron County area would be asked to have an Animal Unit Month (AUM) reduction. Ken replied that they were still pushing to get the slaughter house plan approved, but it was being held up in the courts. Two pieces of legislature were introduced to congress, S 1845 by Senator Hatch &

HR3172 by Rep. Leavitt, transferring management of horses and burros to the states. Ken Brown hailed the delisting of the Sage Grouse and the reauthorization of Secure Rural Schools funding.

CONDITIONAL USE PERMIT/VERIZON WIRELESS

Reed Erikson gave a brief overview of a requested permit for a cellular tower. The proposed Verizon tower would be located just behind Dr. Bagley’s veterinary office at approximately 2200 West Midvalley Road. It would be located next to the Stevensville Ditch, so it would require a 100ft set back as required by ordinance. The leased area was 20’x30’. This was an informational notice only so no voting was needed from the commission.

MEMORANDUM WITH ROBERT K. WEIDNER

Robert Weidner was a County consultant in Washington D.C. for the Rural Public Lands Council. He has asked for an increase of pay from \$12,000 to \$15,000. Motion made by Commissioner Alan Adams to continue Robert K Weidner as a Consultant in Washington D.C and to continue to keep his salary at \$12,000 per year, to be paid quarterly, seconded by Dale Brinkerhoff. He also asked the County Clerk to request a new contract in the correct amount. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

ORDINANCE 2015-9 ESTABLISHING THE IRON COUNTY PUBLIC LAND CORNER PRESERVATION FUND

Debbie Johnson explained that Ordinance 2015-9 would allow the Iron County to receive state grants and create a Corner Preservation Fund. Debbie reported that in 2014, she had collected \$510 from filing fees while the Iron County Engineer’s Office had collected about \$1000. Those moneys would go into that fund and allow the county to be eligible for state grants. She noted that the name of the fund was given by state code. Other uses have been to buy surveying equipment, plotters, buying monuments, and paying surveyors.

Alma Adams made a motion to approve Ordinance 2015-9 Establishing the Iron County Public Land Corner Preservation Fund. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY ORDINANCE 2015-9

AN ORDINANCE ESTABLISHING THE IRON COUNTY PUBLIC LAND CORNER PRESERVATION FUND.

Whereas, pursuant to the UCA §17-23-19(1), “The county legislative body may establish a fund to be known as the Public Land Corner Preservation Fund. Money generated for the fund shall be used only to pay expenses incurred and authorized by the county surveyor in the establishment, reestablishment, and maintenance of corners of government surveys pursuant to the powers and duties provided under Title 17, Chapter 23, County Surveyor, and Title 57, Chapter 10, Utah Coordinate System.” And,

Whereas, pursuant to UCA §17-23-19(2), “The county legislative body may by ordinance establish a fee schedule for filing maps in the county surveyor’s office of surveys filed under Section 17-23-17, subdivisions, road dedication plats, and other property plats. All money collected under this subsection shall be deposited with the county treasurer to be credited to the Public Land Corner Preservation Fund.”

NOW THEREFORE, the County Legislative Body of Iron County, Utah, Ordains as follows:

1. That an account entitled, “Public Land Corner Preservation Fund,” be created. All

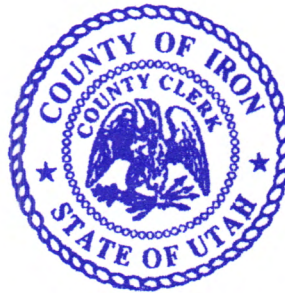
monies collected pursuant to this ordinance shall be deposited with the Iron County Treasurer and credited to the Public Land Corner Preservation Fund.

- 2. That the filing fees collected for subdivisions, road dedication plats, and other property plats in the Iron County Recorder/Surveyor Office under UCA §17-23-17 be deposited with the Iron County Treasurer and credited to the Public Land Corner Preservation Fund.

By: *Dale M. Brinkerhoff*
Dale M. Brinkerhoff, Chair

ATTEST:

Jonathan T. Whittaker
Jonathan T. Whittaker, Iron County Clerk



VOTING:

Alma L. Adams Aye
Dale Brinkerhoff Aye
David Miller Absent

RESOLUTION 2015-11, APPOINTING A UTAH COUNTIES INDEMNITY POOL (UCIP) REPRESENTATIVE FOR THE ANNUAL MEETING HELD NOVEMBER 12TH

Alma Adams made a motion to approve Resolution 2015-11, appointing Leslie Bishop, Iron County HR Director to be the Iron County representative for the Annual UCIP meeting held November 12, with Jon Whittaker as the alternate representative. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY RESOLUTION 2015-11

A RESOLUTION OF IRON COUNTY APPROVING PARTICIPATION OF THE FIVE COUNTY ASSOCIATION OF GOVERNMENT IN THE UTAH COUNTIES INDEMNITY POOL AS A SEPARATE COUNTY RELATED ENTITY MEMBER.

Whereas, the Governing Body of Iron County, Utah, a participating Member of the Utah Counties Indemnity Pool, is the proper authority to sponsor the participation of a separate county related entity; and

Whereas, the Governing Body of Iron County, Utah, has been informed that the Bylaws of the Utah Counties Indemnity Pool require that a separate county related entity must be sponsored by a participating Member County by resolution of the member's governing body;

Whereas, the Governing Body of Iron County, Utah, acknowledge that the Bylaws of the Utah Counties Indemnity Pool, requirements of eligibility have been met by the separate county related entity.

NOW, THEREFORE, be it resolved that the Governing Body of Iron County, Utah, hereby approves Five County Association of Government as a separate county related entity member, eligible to participate in the Utah Counties Indemnity Pool.

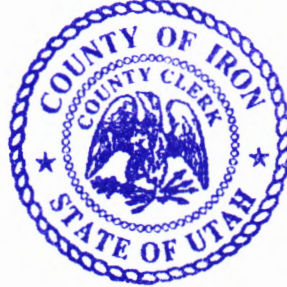
DATED this 26th day of October, 2015

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: *Dale Brinkerhoff*
Dale M. Brinkerhoff, Chairman

ATTEST:

Jonathan T. Whittaker
Jonathan T. Whittaker
Iron County Clerk



Voting:

Alma L. Adams Aye
Dale M. Brinkerhoff Aye
David J. Miller Absent

PERSONNEL

Leslie Bishop presented the advancement of Randall McConnell to Deputy III in the Sheriff's Office, along with the commensurate wage increase per the Deputy Retention Policy, effective October 25th for approval. Leslie Bishop presented the advancement of Jake Hoyt to Deputy II in the Sheriff's Office, along with a 5% wage increase per the Deputy Retention Policy, effective October 25th for approval. Leslie Bishop presented the new hire of Janice Tanner as an Assistant Cook for the Council of Aging for approval. This would be a backfill of a vacant position, effective October 9, 2015.

Alma Adams made a motion to approve the personnel items as presented by Leslie Bishop. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Alma Adams made a motion to table the approval of Health Benefits for 2016 until David Miller could return for input. Leslie Bishop-HR Director stressed that they need to be approved by November 1st. Alma Adams made a motion to table the approval of Health Benefits and to hold a Special Iron County Commission meeting to discuss the matter. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY COURT HOUSE RENOVATION

Lester Ross introduced four Architect proposals for the repair and remodel of the Courthouse to the Commission. They were: J Brown Riggs with principal Architect Justin Stein, CRSA with principal Architect Ben Rogers, Campbell & Associates with principal Architect Kim Campbell, and Mesa Engineering with principle Architect Les Stoker. Each company was given 45 minutes to present their proposal. The primary areas of concern the Commissioners had concerning the proposals were percent, consulting team, availability, and time line.

PUBLIC SAFETY BUILDING

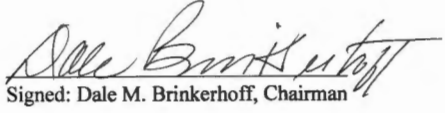
A bid opening for the Public Safety building was moved to a special meeting when bids would be turned in. November 12th in Commission Chambers at 10:00 a.m. was the desired time.

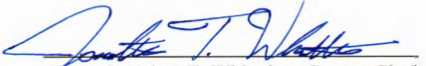
NON-DELEGATED ITEMS

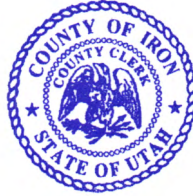
No Non-Delegated Items were discussed.

ADJOURNMENT

Dale Brinkerhoff, Iron County Commission Chair, declared adjournment.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**SPECIAL IRON COUNTY COMMISSION MEETING
OCTOBER 29, 2015**

Minutes of the Special Iron County Commission meeting convened at 10:00 a.m. October 29, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma A. Adams	Commissioner
David J. Miller	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Mark Gower	County Sheriff
Cindy Bulloch	County Assessor
Nicole Rosenberg	County Treasurer
Deborah Johnson	County Recorder
Gene Adams	County Auditor
Jared Wilson	IT Director
Leslie Bishop	HR Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Debbie Johnson.

INVOCATION

An invocation was offered by Alma Adams.

DISCUSSION OF HEALTH BENEFITS FOR 2016

Dale Brinkerhoff, Iron County Commission Chair, introduced the subject of health benefits for 2016. Dale explained that quotes were given in the following:

1. Iron County had a 17.9% increase from 2015(negotiated down from 22.3%). The new rate being \$353,555. The County received a refund check for the amount of \$192,801 from the Contingent Funding Plan. This leaves \$173,386 additional funding needed this year.
2. Dental Select-3.8% increase to fixed costs. Proposed 6% increase overall, \$11,005.
3. Vision-Life Map: 3.9% increase to \$1,620.
4. County has contributed and additional \$210,000 into the HAS/RA fund.

David Miller expressed concern that there was no clear explanation as to why Iron County received a rebate one year and a significant increase the next year. Leslie Bishop

explained that the initial increase for the County was 27%, and that the national average increase was 22%. Leslie noted that Iron County was able to negotiate its increase down to 17.9%. She explained that from August 1, 2014 to July 31, 2015 Iron County had paid premiums of \$2,106,567.60 and had claims of \$2,465,847.25, leaving a deficit of \$359,270.65. Leslie noted that bids were taken from various insurers, and Select Health came in with the best bid.

David Miller expressed concern about the employees losing their health benefits and that the HSA is a very important component. David suggested that Iron County not eliminate benefits, and continue paying health insurance premiums, but reduce the County contribution to the employees' Health Savings Accounts (HSA's). He suggested continuing the contribution to employees' HSA's, but at a rate of \$750 per year instead of the current \$1,500 (for families). Cindy Bulloch questioned that suggestion, saying that it would represent a pay cut to employees.

Dale Brinkerhoff stated that there were many factors going into the decision. Dale noted that pay increases, health insurance premiums, courthouse renovation, and other costly projects were all factors. He expressed that the commissioners desired to maintain employee benefits. Dale stated that the employees should be congratulated for their responsibility and willingness to help.

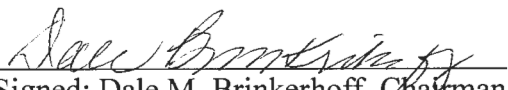
Both Debbie Johnson and Cindy Bulloch expressed concern about raising the employees' hopes for raises, but not having them come to fruition. Debbie noted that most employees in her office would rather receive an HSA decrease and a pay increase if given the choice. Nicole Rosenberg expressed concern about taking more away from the employees. Nicole stated that employees had not received a significant raise in years and that Iron County's wages were not competitive with the private sector.

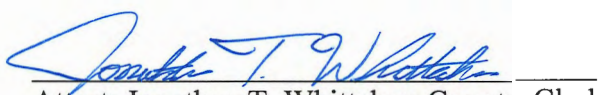
David Miller noted that there is more flexibility in the HSA contributions than in insurance premiums. Alma Adams made a motion to approve the benefits package as described, being an increase of 17.9% in health insurance premiums, using the \$192,801 refund check to help offset the deficit, also an increase of 6% in dental and 4% in vision premiums. Included in the motion was a reduction in the amount Iron County contributes to employee HSA's of one third of current contributions. Second by David Miller.

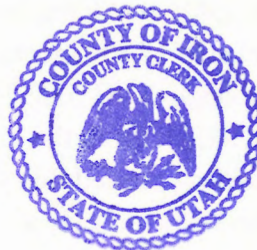
Voting: Alma Adams, Aye, Dale Brinkerhoff, Aye, David Miller, Aye.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye, David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

November 9, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November 9th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
Alma Adams	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Scott Garrett	County Attorney
Bret Allred	County Corrections
Lori White	Justice Court Administrator
Cindy Bulloch	County Assessor
Gene Adams	County Auditor

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by David Miller.

DEPARTMENTAL REPORTS

Scott Garrett, County Attorney, reported that this was a big week at the Utah Association of Counties (UAC) meetings, with discussions about Indigent Defense Fund (IDF). Scott reported the courts were in the early stages of implementing the Justice Reinvestment Initiative (JRI), which would reduce a drug possession from a felony to a misdemeanor. He stated the process of implementing a mental court was now pending approval. David Miller complemented the department on the great work they were doing.

Bret Allred, Iron County Corrections Captain, reported that the break room had been remodeled and was being enjoyed by all. Bret reported wood benches in the booking area, primarily in one cell, had been destroyed by an inmate, and plans were in place to replace all of them. He noted repair was needed on some rusty doors, and electrical problems with four cell doors. Bret stated that the total bed count was 146, and with the weekender stays the count increases to 180. He reported the jail was running out of room for female inmates.

Lori White, Justice Court Administrator, reported that Kaitlin Sorensen had finished the standard Operating manual and that the manual would be available to all new hires in the Justice Court as a valuable reference. Dale Brinkerhoff asked if it followed the Iron County Personnel Manual. Lori replied that it did. Dale Brinkerhoff complemented Lori on the great work being done.

Alma Adams, County Commissioner, reported attending the World Trade Center Utah and that Staheli West, based in Cedar City was beginning to do international trade in Australia. Alma reported that the Community Impact Board (CIB) asked that the commission reprioritize the planned remodel of the Courthouse.

PUBLIC COMMENTS

No public comments were offered.

REQUEST FOR RELEASE OF ROLLBACK TAXES

Cindy Bulloch explained that in 2015, there was a name change from ENC Properties to joint tenancy between Tammy Ence and Elaine Winget, which required a new greenbelt application. Cindy noted that because of an existing patent there was a disagreement on whether the Ences' had to pay taxes. She reported that Tammy had signed the greenbelt application, but was not able to get Elaine to sign, which was causing the problem.

David Miller made a motion to release the rollback taxes owed and to grant greenbelt for 2015. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ADJOURN AS THE IRON COUNTY COMMISSION

CONVENE AS THE GOVERNING BOARD OF THE IRON COUNTY UNINCORPORATED SERVICES AREA DISTRICT #2 (ICUSAD #2)

DISCUSSION AND APPROVAL OF ICUSAD #2 RESOLUTION 2015-3

David Miller made a motion to approve Special Service District #2 Resolution 2015-3 Approving Interlocal agreements between the Iron County Community Development and Renewal Agency and Iron County Unincorporated Area Services #2 regarding the Fremont Solar and Rush Lake Solar Community Development project areas. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

IRON COUNTY UNINCORPORATED AREA SERVICES DISTRICT #2

RESOLUTION NO. 2015-3

A RESOLUTION APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND THE IRON COUNTY UNINCORPORATED AREA SERVICES DISTRICT #2 REGARDING THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS.

WHEREAS pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the "Act"), public agencies, including

political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements for joint and cooperative actions, including the sharing of tax and other revenues; and

WHEREAS the Iron County Community Development and Renewal Agency (the “**Agency**”) and Iron County, the Iron County School District, the Central Iron County Water Conservancy District, and the Iron County Unincorporated Area Services District #2 (the “**Taxing Entities**”) are “public agencies” for purposes of the Act; and

WHEREAS after careful analysis and consideration of relevant information, the Iron County Unincorporated Area Services District #2 (the “**District**”) desires to enter into interlocal agreements with the Agency (the “**Interlocal Agreements**”) whereby the Taxing Entities consent to the Agency receiving for an extended period of time a portion of the tax increment produced by the Taxing Entities’ levies on real and personal property within the Fremont Solar and Rush Lake Solar Community Development Project Areas (the “**Project Areas**”); and

WHEREAS Section 11-13-202.5 of the Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

NOW, THEREFORE, BE IT RESOLVED BY IRON COUNTY UNINCORPORATED AREA SERVICES DISTRICT #2 AS FOLLOWS:

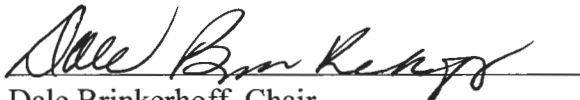
The Interlocal Agreements, substantially in the form attached hereto as **EXHIBITS A and B** are approved and shall be executed by the District.

2. Pursuant to Section 11-13-202.5 of the Act, each Agreement has been submitted, or will be submitted prior to execution, to legal counsel of the District for review and approval as to form and legality.

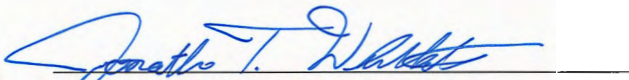
3. Pursuant to Section 11-13-209 of the Act and upon full execution of each Interlocal Agreement, a duly executed original counterpart thereof shall be filed immediately with the keeper of records of the District.

4. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED this 9th day of November, 2015.


Dale Brinkerhoff, Chair
Iron County Unincorporated Area Services
District #2

Attest:


Jonathan T. Whittaker, Secretary



ADJOURN AS THE GOVERNING BOARD OF THE ICUSAD #2

RECONVENE AS THE IRON COUNTY COMMISSION

DISCUSSION AND APPROVAL OF RESOLUTION 2015-12

Brett Howser, Brian Head Town Manager, explained that Resolution 2015-12 was to approve an interlocal agreement between the Brian Redevelopment Agency and Iron County regarding the Brian Head Interconnect Community Development Project Area. Brett reported that Brian Head Town wanted to press forward with their Village Core Development plans. Brett requested that the baseline valuation be reset and that the minimum payments paid by both Iron County and Brian Head be eliminated. He also requested that the CDA be reset to start a new 10 year period.

Alma Adams made a motion to approve Resolution 2015-12 an interlocal agreement between the Brian Head Redevelopment Agency and Iron County regarding the Brian Head Interconnect Community Development project area, with the caveat that the Iron County Commissioners be given an annual report. David Miller questioned the difference between a long term and a short term agreement. Brett stated a longer term was easier for the county and gave Brian Head Town a time frame and target of ski days, the years to actually collect increment, and to partner more with the county so both entities have the same understanding. Brett noted that the RDA would be administered by Brian Head. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

IRON COUNTY

RESOLUTION NO. 2015-12

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE BRIAN HEAD REDEVELOPMENT AGENCY AND IRON COUNTY REGARDING THE COMMUNITY DEVELOPMENT PROJECT AREA IN BRIAN HEAD.

WHEREAS pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the “Act”), public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreements for joint and cooperative actions, including the sharing of tax and other revenues; and

WHEREAS the Brian Head Redevelopment Agency (the “Agency”) and Iron County (the “County”) are “public agencies” for purposes of the Act; and

WHEREAS after careful analysis and consideration of relevant information, the County desires to enter into an interlocal agreement with the Agency (the “Interlocal Agreement”) whereby the County consent to the Agency receiving for an extended period of time a portion of the tax increment produced by the County’s levy on real and personal property within the Brian Head Interconnect Community Development Project Area, which the Agency plans to rename the Brian Head Village Core Community Development Project Area (the “Project Area”); and

WHEREAS Section 11-13-202.5 of the Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

NOW, THEREFORE, BE IT RESOLVED BY IRON COUNTY AS FOLLOWS:

The Interlocal Agreement, substantially in the form attached hereto as **EXHIBIT A** and is approved and shall be executed by the County.

2. Pursuant to Section 11-13-202.5 of the Act, the Agreement has been submitted, or will be submitted prior to execution, to legal counsel of the County for review and approval as to form and legality.

3. Pursuant to Section 11-13-209 of the Act and upon full execution of the Interlocal Agreement, a duly executed original counterpart thereof shall be filed immediately with the keeper of records of the County.

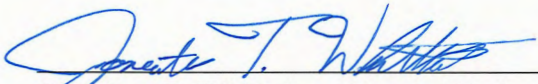
4. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED this 9th day of November, 2015.

BY THE IRON COUNTY COMMISSION:


Dale Brinkerhoff, Chair

ATTEST:


Jonathan T. Whittaker, County Clerk



NON-DELEGATED ITEMS

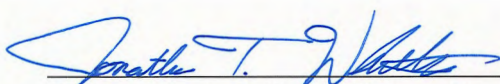
Danny Stewart, Economic Development Director, reported on a meeting he had attended the previous week regarding the Port 15 Community Development Area. Danny explained that Port 15 felt that the base year value of the CDA had been calculated incorrectly, and that they might be owed money. However, they did not want additional money, but an extension of the CDA for an additional 5 years.

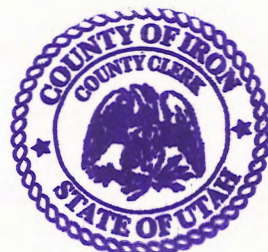
Adam Long, an attorney with Smith Hartvigsen, reported that a meeting had been set up with potential investors for the Black Iron Project and that a draft project area plan had been created and posted for a CDA on the project. Cindy Bulloch questioned if taxes being current was still one of the main issues for Black Iron. Adam replied that it was. Dale Brinkerhoff noted that the agreement needed to clarify that Iron County would not share the centrally assessed back to the solar company. Adam agreed that this was something that needed to be addressed through amendments to the interlocal agreements with the taxing entities. Alma Adams clarified that Iron County collects the taxes, then distributes them to the agency; the agency distributes to the entities; the entities reimburse back to the agency; and the tax money is held by Iron County until they satisfy the terms of the agreement, at which point the appropriate amount is rebated under the CDA.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
December 7, 2015**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. December 7, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
Alma L. Adams	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Nicole B. Rosenberg	County Treasurer
Deborah Johnson	County Recorder
Gene Adams	County Auditor
Mark Gower	County Sheriff
Leslie Bishop	Human Resources Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Danny Stewart.

INVOCATION

An invocation was offered by Bryan Dangerfield.

DEPARTMENTAL REPORTS

Jared Wilson, Information Technology (IT) Director, reported that the IT budget was on track. The IT department was nearing completion on wiring the new scale house at the landfill. Geographical Information Systems (GIS) continued to stay busy. Jared also reported that IT was in the process of installing new software for the Attorneys office. He concluded by explaining that IT was developing a website for the OHV Color Country Trails.

Leslie Bishop, Human Resources (HR) Director, reported that she was elected President of the HR Directors group during the recent Utah Association of Counties (UAC) meetings. Leslie reported that a major concern is risk management. She explained that the Utah Government Immunity Act might change due to proposed legislation. Leslie noted that the GRAMA compliance training would be due by the end of the year. She reported that Workers Compensation Fund WCF claims were down from \$28,680 in 2014 to \$11,419 in 2015. Slips and falls contributed to 43% of the incidents in 2015. In terms of workers' compensation claims, Iron County was tied with Washington County for having the lowest in the State.

Leslie Bishop reported that the salary study was complete, that the Expenditure and Reimbursement Policy was updated in response to an IRS audit, and that benefit enrollment was ending. Leslie concluded by noting that the transition of the Public Defenders to be under the Justice Court Administrator, Lori Starr, was nearly complete.

Mark Gower, Iron County Sheriff, explained that the Sheriff budget looked good and was available through www.ironcounty.net for public inspection. Sheriff Gower explained that there was an active search in the Buckhorn flat area for a hunter who had been missing for two days. He concluded his report to return to the search.

Maria Twitchell, Executive Director of the Cedar City Brian Head Tourism Bureau, reported that tourism had spent 83% of its budget. Maria noted that the Transient Room Tax (TRT), collections were up 9.4%, that restaurant tax was up 10.4%, and that hotel occupancies were up 6.6%. She noted that Brian Head reported their best opening weekend ever. Visitor Center guests were up 200% from 2014. Maria stated Iron County would act as lead in a marketing campaign highlighting the National Park Service Centennial taking place throughout 2016. She had secured editorial space in all the park newspapers throughout the year. Maria reported that they had teamed up with six Utah partners on an advertorial spread in Delta Sky magazine. She noted that Proforma Communications had been selected to produce the new 88 page Iron County Visitor Guide. Maria explained that she and her staff were working on booking hotel rooms for the Tour of Utah in case the Tour returns to Cedar City in 2016. The Tour needs 1500 room nights during the period of the race.

Maria Twitchell reported that Outdoor Recreation was at 44.6% of its budget. Maria noted that Woods Ranch was closed for the season, and that she was moving forward with the purchase of pipe to repair the water system. She explained that improvements were continuing on the shooting range, and that dirt work had begun on two new pistol ranges. There continues to be vandalism at the shooting range, so a security camera was installed at the entrance. Maria requested permission to place a sign at the entrance that reads, "Unsupervised Range, Enter at Your Own Risk," to help with liability. The local 4H group agreed to file for a National Rifle Association (NRA) grant to help purchase an additional bathroom at the range for \$5,000. Maria noted that camping in Three Peaks was going well with user fees of \$2,800. Dale Brinkerhoff asked how the pavilion rentals at Woods Ranch were doing. Maria Explained that reservations were robust, and that reservations are made months in advance.

Danny Stewart, Economic Development Director, reported that Cedar City has been doing repairs on the billboards on I-15 near Cedar City. Danny noted that Cedar City had asked him to design new banners for the signs to promote tourism. He noted that the catchphrase on the banners will read, "Come Back for More Adventure."

Bryan Dangerfield, Events Coordinator, thanked Maria Twitchell for all the work she does. Bryan also expressed hope that the Tour of Utah would again come to Cedar City. He said the Shakespeare Festival wanted to be involved. They are presenting the play, "Much Ado About Nothing," and are thinking of incorporating the saying "Much Ado About Cycling."

Alma Adams, Iron County Commissioner, reported that he attended a meeting regarding recycling with Bruce Anderson. At the meeting, some commented that it would cost more for curbside pickup of recyclables. Alma agreed that recycling is a good idea, but questioned whether people would be willing to pay more for it.

David Miller, Iron County Commissioner, attended the Catastrophic Wild Fire meeting with the regional Color Country Fire Fighters, Forest Service Teams, and Bureau of Land Management (BLM) Teams. David reported that the discussion focused on a national effort to

make communities more resilient to potential catastrophic wild fire. There was also discussion regarding the declaration made by Iron County concerning watershed protection and heavy fuel loads on or near watershed areas. Of particular concern were the Parowan and Brian Head watershed areas. If a catastrophic wild fire occurred, not only would the direct costs of fighting the fire be a factor, but so to would be the risk to the watershed quality and viability. David noted that for every dollar spent on prevention of this type, it could save \$400 in fighting the fire and restoring the watershed. David noted that there was upcoming legislation that would help communities mitigate the cost of reducing the fuel load in watershed areas on public lands. Part of the strategy is to coordinate with the State of Utah and all parties so that, in the event of a wild land fire, all available agencies would move to fight the fire immediately. David concluded by saying that Iron County was fortunate in 2015 by not experiencing major fires, but the high risk will persist without intervention.

PUBLIC COMMENTS

Bruce Washburn, a resident of Iron County, requested that the Commission completely comply with the Open Meetings Act. Mr. Washburn explained that Iron County Commission meetings happen in the morning when most citizens are unable to attend, that the newspapers are not reporting routinely on the activities due to the internet access. Whereas the meetings are posted on a timely manner, the recording, pending minutes and approved minutes are not in compliance. Recordings and minutes should be posted within three days. The November 23rd minutes and recording had not yet been posted. This is not the first time minutes and recordings have not been posted within the three days. Approved minutes are required to be posted within 30 days of the meeting. Request of pending minutes to Jon Whittaker have been answered with rough notes taken at the meeting. Mr. Washburn noted that approved minutes are to be posted within 3 days of approval, and said that had not happened. Minutes from the middle of May to October have not been posted. Dale Brinkerhoff stated that they are aware and are working on it. Jon Whittaker explained that he is well aware and agrees that Mr. Washburn is correct. Jon clarified that he had additional staff working to get the minutes up to date. He stated that his goal is to have them caught up by the end of the year.

PUBLIC HEARING REGARDING 2016 TENTATIVE BUDGET

Dale Brinkerhoff, Commission Chair, declared a public hearing open regarding the 2016 tentative budget for Iron County. Gene Adams, County Auditor, reported total expenditures are \$30,726,870 for 2016. Including transfers, it totals to \$37,832,658 compared to \$39,915,796 in 2015, a roughly \$2,000,000 reduction. The general fund budgeted a total of \$16,172,715 in expenditures for 2016. There was no comment from the public. Dale Brinkerhoff declared the public hearing closed.

CONSIDER & ADOPT THE 2016 TENTATIVE BUDGET

After some discussion, Alma Adams expressed that the tentative budget presented appeared to be accurate and made a motion to adopt the 2016 tentative budget. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVAL OF 2016 IRON COUNTY COMMISSION MEETING SCHEDULE

Jon Whittaker, Iron County Clerk, presented the Iron County Commission meeting schedule for 2016. After discussing requirements for budgeting, the hearing for the 2017 tentative budget hearing and adoption was scheduled for November 14, 2016, the final budget hearing for 2017 was scheduled to be held November 28, 2016, and the adoption of the final 2017 budget was scheduled for December 12, 2016. David Miller made a motion to approve the 2016 Iron County Commission meeting schedule with the agreed upon changes. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION AND ACTION ON COUNTY WIDE VOTING BY MAIL

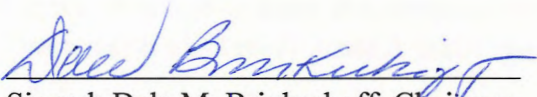
Jon Whittaker, Iron County Clerk, explained that vote by mail increases voter turnout, as well as possibly resulting in cost savings to administer an election. David Miller expressed concerns having to do with chain of custody of ballots. Jon Whittaker explained that safeguards are in place concerning the chain of custody as well as ballot security. Jon explained that each voter will receive their ballot and they will be required to sign the envelope to verify they are the person voting that ballot. The signature is matched when it returns to the Clerk's office. Iron County will have three vote centers open, one in Cedar City, one in Enoch and one in Parowan. To vote at the vote center the voter would have to surrender the by mail ballot. David Miller stated that we need to make sure that safeguards are in place, and that the chain of custody is followed and secure. Jon explained when the ballot is mailed it goes to the address on record. There no forward request on the envelope and if the person has moved it is returned to the Iron County Clerk. When the ballot is returned voted, the signature is verified against the scanned voter registration. When it comes time to count the ballot the seal is broken and the ballot is taken out, address face down, and then the ballot is then separated from the envelope to be counted. Concerns were brought forth by David Miller and others regarding ballot secrecy. In particular, the concern was that the voter's name is on the ballot when the ballot is removed, thus allowing election workers to see how a particular voter voted. Jon Whittaker replied that he would do more research to address the concerns raised and bring the issue forward to the commission at a later date. David Miller made a motion to table the decision regarding vote by mail. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

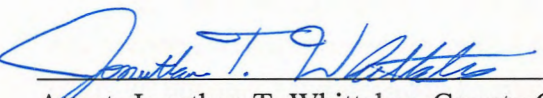
NON-DELEGATED ITEMS

David Miller reported a year in review on the Utah Prairie Dog (UPD). The UPD has been a perennial topic in Iron County Commission meetings. David noted that since the State of Utah took over the management of the UPD on May 8th, private property owners have greatly benefited by easing the burden and cost of UPD mitigation. He also explained that conservation had made significant strides as well. David expressed that conservation efforts have ramped up exponentially. He noted significant improvements. David noted that the ability to conserve dogs that otherwise would have been lethally removed has resulted in the translocation of 2500 dogs. David concluded by explaining that next year the final ruling from the 10th Circuit Court of Appeals to verify whether the state will continue or whether it will revert back to Fish and Wildlife should be handed down.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
December 14, 2015**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. December 14th, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
David J. Miller	Commissioner - Excused
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

H. Eugene Adams	County Auditor
Nicole B. Rosenberg	County Treasurer
Stephen R. Platt	County Engineer
Deborah Johnson	County Recorder
Bruce Anderson	Landfill Supervisor
Chad Nay	Zoning Administrator
Leslie Bishop	HR Director

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TAX MATTER REGARDING DAW FAMILY TRUST A.P.N. A-1115-3-14-016

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Bruce Washburn.

INVOCATION

An invocation was offered by Bruce Anderson.

DEPARTMENTAL REPORTS

Chad Nay, Iron County Zoning Administrator, reported that building in Iron County continued to increase. Chad noted that the building department had issued 35 more building permits from January to October 2015 than the same period in 2014. Chad reported increases in building permits in both Parowan and Brian Head as well. He noted that the total number of building permits for 2015 was 233, reflecting a valuation of \$133,542,560.

Chad Nay reflected that interest was ongoing in developing more solar farms, even though 17 solar projects had active land use permits. Chad noted that some challenging requests were concentrated animal feeding operations and treatment facilities for persons with disabilities. No new subdivisions were in the works, but lot line adjustments and efforts to develop the trail system across Iron County were points of focus for his staff.

Chad Nay emphasized the need to follow through on the repairs and renovations to both the Fiddler's Canyon building as well as the Visitor's Center building. Chad and the commissioners then discussed the logistical shuffling of the tenants required to accommodate the renovations.

Chad Nay reported that all of the budgets he oversees were in fine shape. Chad mentioned the ongoing need to balance growing workloads with staffing. He mentioned that some staff had needed time for medical reasons, spreading a burden among other staff. Chad extolled the benefits Lester Ross contributes. Lester has helped train Nathan Dennett, as well as possessing 4 certifications, allowing him to work on his own in the field. He mentioned that Nathan was working out well. Chad concluded by expressing the challenge of covering the workload properly being short staffed.

Stephen Platt, Iron County Engineer, reported that his budget was on track. Steve noted that there would be an \$85,000 budget amendment to make the final payment to the contractor for the 5700 West Belt Route. Steve then explained that the 5700 Belt Route project was paved, with some shoulder work still to be done. He reported that the remaining work to do for the Southern half of the Belt Route would be a limited amount of fencing, as well as completing the Highway 91 and Vandenberg Frontage Road, near the Southern terminus of the Belt Route.

Stephen Platt reported on RS-2477 roads, the SUU Mountain Center Road Memorandum of Understanding (MOU), the Cedar Highlands Road right-of-way, improvements on the Kane Springs Road, the North leg of Coal Creek past the wastewater treatment plant, improvements to 2200 North near the Red Hills Renewables Solar Farm in Parowan Valley, cinder pits on the Jim Watson property on Kanarra Mountain, and the Woods Ranch water system.

Robert Twitchell, Assistant Road Supervisor, reported that Neil Forsyth was healing after an accident. Robert explained that Neil would be off until January 5th. Robert reported that the Clark Road gravel project was half done. He noted that the Road Department had been cleaning cattle guards, and had installed a new cattle guard on the Pine Valley Road near the Beaver County line. Robert reported that they had hauled 2,200 yards of cinders, and 1280 tons of salt. They had also worked on signage for the 5700 West Belt Route, shoulder work for the Belt Route, pothole repair, clearing 2 acres for a remote control club at 3 Peaks, and leveling the ground near the Jail building in preparation for the Public Safety Building.

Robert Twitchell reported that the Road Department budget was good overall, but there were a couple of line items that were over. Robert concluded by reporting that their new hire in Beryl, Colby Hulet, was working out very well.

Bruce Anderson, Landfill Supervisor, reported that tonnage of construction and demolition materials continued to increase. Bruce also reported that asbestos had also increased. Dale Brinkerhoff asked where most of the asbestos had been coming from. Bruce Anderson replied that lately, St. George City had been the main customer. They had been replacing old pipe insulation, causing the need to dispose of the asbestos. Bruce clarified that Iron County has one of very few asbestos disposal pits in the area.

Bruce Anderson reported that their Track Loader was down, and that he was appreciative of the Iron County Road Department allowing them to use one of theirs. Bruce expressed

appreciation for the cooperation the two organizations had enjoyed. Bruce concluded his report by discussing the progress of the new scale house under construction and recycling discussions in the community.

PUBLIC HEARING REGARDING AMENDMENTS TO IRON COUNTY ZONING MAP.

Reed Erickson, Iron County Planner, gave a brief overview and history of the proposed rezoning of Agricultural-20 (A-20) to Rural/Agricultural-20 (RA-20) zoning changes. Reed explained that since May of 2014, the Iron County Planning Commission had been discussing these zoning changes. Initially, the thought was to create a Residential-20 (R-20) zone. That process was completed in October of 2014. Creating the R-20 zone precipitated various changes to the A-20 zone table of uses. Reed explained that the desire to expand uses in the A-20 zone was paired with creating an R-20 zone to allow for the types of uses that were already happening within the A-20 zone with neighborhoods and residences.

Reed Erickson then explained that through the public hearing process at the Planning Commission, it became apparent that there were concerns about the name "Residential," because it was not a good fit. Reed noted that in June of 2015, the Iron County Commission held another hearing to make a number of changes to the October, 2014 ordinance. In that June meeting the ordinance was changed to RA-20, as well as changing several of the uses to be more compatible with the uses happening in those neighborhoods. Reed noted that the current RA-20 zone is more similar to the original A-20 zone. The current A-20 zone has a number of uses allowing for more intensive agriculture and a more commercial nature. In October of 2015, the Iron County Planning Commission made a recommendation to the Iron County Commission of which parcels to include in the RA-20 zone.

Reed Erickson discussed 6 specific areas of consideration with the commissioners for inclusion in the RA-20 zone. Areas 1, 2, 3, 5 and 6 were mostly in favor of rezoning to RA-20. Reed noted that Area 4, which is the area west of Quichapa Lake South of Highway 56, has had the most concern and controversy. Reed reported that the Iron County Planning Commission recommended Areas 1, 2, 3, 5 and 6 to be rezoned RA-20 without reservation. He noted that the Planning Commission held some reservations about Area 4, due to the opposition expressed, but would defer to the Iron County Commission.

Public comments were taken 1 area at a time. For Area 1, Paul Longson spoke in favor of the proposed rezone to RA-20.

No comments were offered in regard to Area 2.

No comments were offered in regard to Area 3.

For Area 4, Jon Whittaker began by reading a letter from Bruce Maynard expressing his desire to remain in the A-20 zone.

Bill Pressgrove explained that he was not in any of the areas, but lived in the midst of Area 4, on an R-5 zoned parcel. Bill expressed concern that parcels smaller than 20 acres were being discussed as if they were 20 acre lots. He expressed that if parcels were between 5 and 20 acres, they should be zoned R-5.

Brenda Bybee, a resident of Area 4, spoke against the rezone to RA-20. Brenda expressed that her primary concern was confusion due to the change of direction during the process. She reported speaking with several people who were confused because the designations had change from R-20 to RA-20, and that they did not understand that more comments could be submitted.

Butch Creamer, who reported owning parcels in both Areas 4 and 5, expressed concern that the process was moving forward with so many people opposed to the changes. Butch noted that the public was informed that letters should be submitted during the first meeting, but nothing instructed the owners to submit another letter for the September meeting of the Planning Commission. He was very concerned that the opposition to the zoning changes was not being heard. Butch said that in his conversations with neighbors, they felt like their rights were being taken away. He was concerned about the many commercial and industrial uses added to the A-20 zone. Butch explained that he had invested heavily to be in an agricultural area, but now felt that

a great deal of commercial and industrial was encroaching on him. He concluded by saying these changes greatly diminished the rights and enjoyment of the land owners in these areas.

Roger Sorenson, a resident of Area 4, provided a tabulation of Area 4 parcel owners. Roger noted that he gathered his data from the Building and Zoning department. He explained that 18 owners were against the RA-20 zone in Area 4, while 25 were for it. Roger expressed his desire to be zoned RA-20, and stated that by his calculations a substantial number of people want their parcels to be zoned RA-20 as well.

Larry Life, a resident of Area 4, spoke in favor of the RA-20 zone. Larry stated that being in the A-20 zone would be an imposition on his lifestyle because of the commercial allowances it makes. He noted that anything abutting Highway 56 should probably be A-20 because of the commercial potential. Larry also noted that some of the parcels already had commercial use that would not benefit from the RA-20 zone. He expressed concern at the confusion caused by the changes in the zoning during the process.

Brenda Bybee echoed the concern about confusion by stating that the meeting minutes were not caught up, nor were they in compliance with state code. She stated that much of the confusion could have been cleared up through better communication.

Butch Creamer spoke to his concerns regarding his property in Area 5. Butch described a petition he had circulated and submitted in September wherein 5 to 7 homes he visited were all opposed to the RA-20 rezoning. Butch reiterated his earlier concern that many owners of A-20 land might not be aware that their uses had changed significantly. He also reiterated the concern that owners were not sufficiently notified of the need to write a letter regarding the RA-20 zone after they had written a letter regarding the A-20 zone.

Bill Pressgrove provided a handout to the commissioners explaining his desire to move from property taxes to pay for local government to a sales tax. He cited Article I, Section 2 of the Utah Constitution which states "All political power is inherent in the people." Bill noted that Iron County is subservient to the inherent powers of the people, and that he felt there was a conflict between county zoning laws and table of uses and the citizens' "inalienable right to enjoy and defend their lives and liberties; to acquire, possess and protect property." He requested that the proposed rezone be postponed until a resolution to the conflict he described be found.

No comments were offered in regard to Area 6.

David Miller expressed the need for Iron County to protect the rights and liberties of its citizens. David explained that zoning is a method through which rights are protected. He noted that it is not a perfect solution, but expressed his commitment that no action by the Iron County Commission would trample citizens' rights.

No action item was listed on the Commission agenda to adopt the proposed zoning changes, so the item was tabled until the regularly scheduled January 11, 2016 Iron County Commission meeting.

PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE 2015 BUDGET

Gene Adams presented the amendments to the 2015 budget. In the General Fund, in the Justice Court, merchant and credit card fees were increased \$7,200, these additional fees were passed along to the payers. There was a jury and witness expense increase of \$3,300. In the Assessor's Office, there was an increase of \$12,000 in overtime. Under Insurance, there was an additional expense of \$5,000. Gene explained that in the Children's Justice Center (CJC), an increase of \$23,000 for an additional employee and \$7,100 in benefits were added. The commissioners noted that the CJC amendments were paid for by a grant. There were items of unplanned income that included: additional Recorder's Office fees, prior years property taxes, IT fees, and interest earned. These additional expenses and credits both totaled \$57,800.

Gene Adams explained that under the Municipal Fund, additional expense of \$3,000 for Cedar City Fire Department, additional expense of \$26,000 paid to forestry, state lands, and an additional \$5,000 expense went to a fire truck for the Beryl Fire Department. Building permits helped balance the Municipal Fund with an additional \$34,000.

Under the Roads Fund, an additional \$85,000 was requested to help finish the 5700 West Belt Route. This was an increase from the listed \$75,000. Gene Adams explained that the additional monies for the Belt Loop would be paid out of Special Service District #3, which is funded through a federal program entitled Secure Rural School (SRS).

Gene Adams described the amendments to the Transient Room Tax (TRT) Fund. A grant of \$84,575 was an unanticipated income. That was offset by paying for moving an employee from Ambulance for \$16,875.

Gene Adams reported the total of amendments to the 2015 budget to be \$261,375.

Bruce Washburn, a resident of Cedar City, asked what the Round 15 Coop. listed on the budget amendment report was. David Miller explained that it is a State of Utah grant provided through the Department of Tourism.

RESOLUTION 2015-13 ADOPTING 2015 BUDGET AMENDMENTS

David Miller made a motion to approve Resolution 2015-13 to adopt the 2015 budget amendments as described, with an additional \$10,000 in roads as explained. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

IRON COUNTY RESOLUTION 2015-13

**A RESOLUTION OF THE IRON COUNTY COMMISSION AUTHORIZING
ADJUSTMENTS IN THE 2015 DEPARTMENT BUDGETS.**

Whereas, Iron County Departments have requested adjustments to their budgets for 2015 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,

Whereas, the Governing Body of Iron County, Utah, acknowledge that the Bylaws of the Utah Counties Indemnity Pool, requirements of eligibility have been met by the separate county related entity.


Now, Therefore, be it resolved that the 2015 budget of Iron County is hereby amended to reflect changes in the adopted and approved 2015 budget to actual expenditures as calculated and filed in the office of the Iron County Auditor.

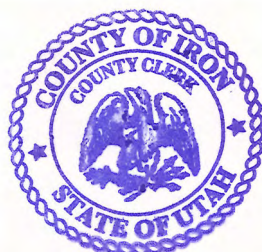
DATED this 14th day of December, 2015

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Dale M. Brinkerhoff

ATTEST:


Jonathan T. Whittaker
Iron County Clerk



PUBLIC COMMENTS

Bruce Washburn, a resident of Cedar City, commented that the 2016 budget seemed very large. He noted that the average citizen might not appreciate how much it costs to run government. Mr. Washburn did take exception to one particular item, \$20,000 was budgeted to be given to the Western Freedom Festival out of the Transient Room Tax (TRT) Fund. He noted that he felt this was a political event. If it were a balanced presentation, then he would not have objections. Mr. Washburn concluded by expressing that tax dollars should not be used for a political event.

TAX MATTER REGARDING PROPERTY OWNED BY DAW FAMILY TRUST, A.P.N. A-1115-3-14-1 #269503

Jon Whittaker explained that Mr. Louis Daw had requested a waiver of his penalty for late payment of taxes. He had a stroke earlier in the year, and when he was able, he became aware that he had not paid his 2015 property tax for A-1115-3-14-1, a property in Brian Head. Jon noted that Mr. Daw's payment had been received by the Iron County Treasurer, and that the only relief requested was for the \$33.55 penalty. Mr. Daw had sent medical records showing his hospitalization, and Jon noted that he had been an exemplary payer.

Alma Adams made a motion to waive the penalty of \$33.55. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVAL OF AGREEMENT WITH SCATEC SOLAR REGARDING 2200 NORTH ROAD IMPROVEMENTS IN PAROWAN VALLEY

The commissioners discussed the contract to provide funds to improve 2200 North in Parowan Valley adjacent to the Red Hills Renewables Solar Project. Michael Edwards, Deputy Iron County Attorney, expressed concern that the verbiage on the contract with Scatec compelled Iron County to issue a Certificate of Occupancy. Chad Nay expressed concern that the contract would compel Iron County to issue a Conditional Use Permit within a certain number of days. Michael Edwards explained that the contract could be modified and approved that day. After assuaging the concerns of the Building and Zoning Department and the Iron County Attorney's Office, David Miller made a motion to approve the agreement with Scatec Solar regarding road improvements for 2200 North, with the clarification the bond mentioned in item 23 is the return of the bond for construction of the road only. Also, a caveat that the contract would be held by the Clerk's Office until the check for \$34,808 was received. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

RESOLUTION 2015-14, APPROVING FIVE COUNTY A.O.G. PARTICIPATION IN THE UTAH COUNTIES INSURANCE POOL

The commissioners discussed Resolution 2015-14, approving Five County Association of Governments (AOG) participation in the Utah Counties Insurance Pool (UCIP). Dale Brinkerhoff noted that among the advantages to allowing Five County AOG to participate in UCIP, is the \$3M per occurrence coverage, a significant improvement from the current \$1M. Dale also noted that UCIP is the same insurer that Iron County uses. David Miller asked what the new premium would be. Dale Brinkerhoff replied that it would be \$35,000 per year, up from \$30,000. Dale added that the coverage provided would be much improved. Alma Adams made a motion to approve Resolution 2015-14, approving Five County AOG participation in UCIP. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

IRON COUNTY RESOLUTION 2015-14

A RESOLUTION OF IRON COUNTY APPROVING PARTICIPATION OF THE FIVE COUNTY ASSOCIATION OF GOVERNMENT IN THE UTAH COUNTIES INDEMNITY POOL AS A SEPARATE COUNTY RELATED ENTITY MEMBER.

Whereas, the Governing Body of Iron County, Utah, a participating Member of the Utah

Counties Indemnity Pool, is the proper authority to sponsor the participation of a separate county related entity; and

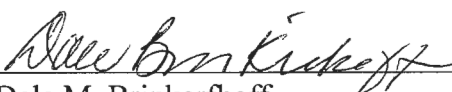
Whereas, the Governing Body of Iron County, Utah, has been informed that the Bylaws of the Utah Counties Indemnity Pool require that a separate county related entity must be sponsored by a participating Member County by resolution of the member's governing body;

Whereas, the Governing Body of Iron County, Utah, acknowledge that the Bylaws of the Utah Counties Indemnity Pool, requirements of eligibility have been met by the separate county related entity.

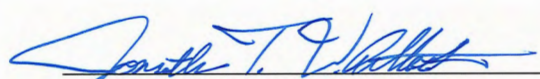
Now, Therefore, be it resolved that the Governing Body of Iron County, Utah, hereby approves Five County Association of Government as a separate county related entity member, eligible to participate in the Utah Counties Indemnity Pool.

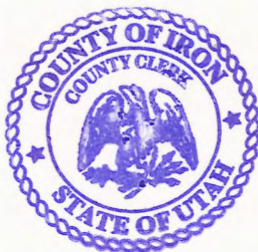
DATED this 14th day of December, 2015

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Dale M. Brinkerhoff

ATTEST:


Jonathan T. Whittaker
Iron County Clerk



PERSONNEL

Leslie Bishop presented the name of Patrick Bellamy as a new hire as a Part Time Medical Technician in Corrections. This was a backfill of a vacant position left by Leann Pratt, and would be effective December 2, 2015. Leslie Bishop presented advancement to Deputy II for Anna Teeple as per the deputy retention plan. This would be effective December 6, 2015. Leslie Bishop presented advancement to Deputy II for Pierce Robertson as per the deputy retention plan. This would be effective December 6, 2015.

For the Sheriff's Department, Leslie Bishop presented Bilingual Pay for Devin Lauritzen, who had completed the required testing. This was effective December 6, 2015.

Alma Adams made a motion to approve the new hire of Patrick Bellamy as Part Time Medical Technician, advancement of Anna Teeple to Deputy II, advancement of Pierce Robertson to Deputy II, and Bilingual Pay for Devin Lauritzen. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION AND ACTION REGARDING EVERBRIDGE MAPPING APPLICATION

David Miller led a discussion regarding the Everbridge mapping application. David noted that Iron County was already using Everbridge for emergency management. The mapping application is an additional, powerful tool that can be incorporated with Everbridge.

Mike Shurtz, Fire Engineer for Cedar City, explained that the mapping application couples with the Geographical Information System (GIS) as well as Everbridge to pull information out of the GIS and push it to the first responders and citizens via cell phone. Justin Grenier, Operations Manager of the Washington County Communications Center, explained that Washington County had incorporated this mapping application at a cost of \$10,000 to \$15,000. He noted that Washington County was in need of a paging solution. They were using Everbridge for reverse 911 services, allowing them to send emergency communications to individuals in a specific area. The mapping application that they purchased allows the notifications to include links to both map references and GIS information, including parcels and real time updates. Josh

Meredith, Iron County IT, noted that the mapping application would also generate a route for emergency personnel, as well as eliminate 2 other costly IT programs. Josh also noted that the mapping application allows for more control for Iron County personnel. Josh estimated the upfront cost to be roughly \$7,500.

David Miller made a motion to approve entering into an agreement with the Cedar City Fire Department and the Cedar Communications Center to be drafted and brought before the Iron County Commission with specific cost sharing and cost information to Iron County. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVAL OF CONTRACT WITH MESA ENGINEERING FOR REMODEL OF IRON COUNTY OFFICE COMPLEX, 585 NORTH MAIN, CEDAR CITY


Dale Brinkerhoff directed that the contract with Mesa Engineering be moved to the December 17th meeting because it was not available.

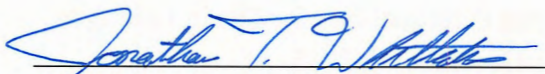
APPROVAL OF MINUTES

David Miller made a motion to approve the minutes of the December 7th, 2015 meeting of the Iron County Commission. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ADJOURNMENT

Alma Adams made a motion to adjourn. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**SPECIAL MEETING OF THE IRON COUNTY COMMISSION
December 17, 2015**

Minutes of the Special Meeting of the Iron County Commission convened at 9:00 a.m.
December 17, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
Alma L. Adams	Excused
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Leslie Bishop	County HR
Cindy W. Bulloch	County Assessor
Gene Adams	County Auditor
Nicole B. Rosenberg	County Treasurer
Mark Gower	County Sheriff

SYNOPSIS

ADJOURNMENT	5
APPROVAL OF COOP. LAW ENFORCEMENT WITH THE FOREST SERVICE	3
APPROVAL OF CONTRACT WITH MESA CONSULTING	3
APPROVAL OF MINUTES	5
DISCUSSION REGARDING POLICING AND FIRE IN PARAGONAH.....	2
DISCUSSION AND APPROVAL OF 2015 ABATEMENTS.....	5
INVOCATION	1
NON-DELEGATED ITEMS.....	5
PLEDGE OF ALLEGIANCE.....	1
PUBLIC INFORMATION DISCUSSION FOR EARTHQUAKE EXERCISE	1
PUBLIC HEARING AND ADOPTION OF 2016 FINAL BUDGET	3
RESOLUTION 2015-15 TO ADOPT 2016 FINAL BUDGET	4

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Lieutenant Justin Zufelt.

INVOCATION

An invocation was offered by Jon Whittaker.

**PUBLIC INFORMATION DISCUSSION FOR UPCOMING NATIONAL GUARD
EXERCISE IN EARTHQUAKE RESPONSE.**

Lieutenant Justin Zufelt, Utah Nation Guard Commanding Officer of the 213th Forward Support Company: reported that he was providing a public information brief for an exercise in

Iron County on February 5th and 6th. Lieutenant Zufelt explained that the 213th is a Forward Support Company, Logistical Arm, assigned to the 222nd Artillery Battery in Iron County. If there were a tragic event in Iron County the 213th would likely be there to help. He explained that, after some research, the most likely event to happen in Iron County would be an earthquake. Lieutenant Zufelt explained that they would be conducting an earthquake response drill in Cedar City on February 5th and 6th. They will be speaking and working with the Iron County Emergency Response Coordinator along with city officials. Lieutenant Zufelt expressed a desire to shape a package that would best serve Iron County. He explained that it would be as low key as possible, beginning around noon on Friday and finishing at noon on Saturday, working through the night, with low impact on the agencies and departments. The operations center will be the Cedar City Cross Hollows Event center and the National Guard Armory. Lieutenant Zufelt explained that there would be military vehicles and helicopters visible. David Miller suggested the event be posted on the Iron County web site (www.ironcounty.net), as well as coordinated with the Iron County Community Emergency Response Team (CERT) program. Lieutenant Zufelt agreed, and concluded by noting that they would be working with CERT, ham radio operators and the local police and fire departments.

DISCUSSION AND POSSIBLE ACTION ON TERMS FOR AN AGREEMENT REGARDING FIRE AND POLICE SERVICES BETWEEN IRON COUNTY AND PARAGONAH TOWN,

Royce Barton, Chief of the Paragonah Fire Department, appealed to the commissioners to restore their funding. Royce explained that 80% of the Paragonah Fire Department runs are outside of Paragonah Town. He noted that they have been serving for more than 50 years, and that they are the second 2nd busiest fire department in Iron County, second only to Cedar City. They cover from Parowan to Beaver, and from Kane Springs to Garfield County. Royce noted that their response times were excellent. He stated they were very concerned and invited the commissioners to visit their facilities. Royce noted that multiple public safety officials had expressed support and concern for the Paragonah Fire Department. He explained that Paragonah has the only Fire Department that does not pay the firefighters, therefore all the money received from Iron County goes directly to equipment. Royce concluded by making a plea to reinstate funding for the Paragonah Fire Department. Dale Brinkerhoff explained that withholding the budget for the Paragonah Fire Department was leverage to come to an agreement with Paragonah regarding police services.

Mark Barton, Public Safety for Paragonah Town, expressed Paragonah Town's desire to work through this issue. Mark reported that, according to Sheriff Gower, 144 calls were made in 2014. The Sheriff felt that \$12,500 would be fair for emergency calls only. That would average about \$86.80 per call. Iron County's request of \$45,000 would average \$312 per call. Dale Brinkerhoff stated the goal is to have Paragonah be on par with other areas of Iron County in regard to paying for police services. David Miller suggested a comparison between the number of calls and the total budget for all of Iron County. Mark Barton stated the cost is \$60 per hour as reported by Reed Erickson, Iron County Planner. Justin Wayment, attorney for Paragonah Town, explained that Paragonah was asking for response only, not patrol, and felt the \$12,500 estimate was fair. Dale Brinkerhoff expressed that, because of the apparent willingness to act on police services by Paragonah, he was willing to restore funding to the Paragonah Fire Department. Mark Barton replied that he would notify the Paragonah Town Council, as well as the decision concerning whether to use Parowan City or Iron County for police services. Mark indicated he would bring the police services issue back before the Commission if Paragonah Town decided to employ the Iron County Sheriff's department. David Miller explained that the commissioners desired equity between the unincorporated areas and Paragonah Town. David noted that the unincorporated areas pay a Municipal Services Tax, which helps pay for emergency services. In Paragonah, no such tax had been paid, and those services were being subsidized by the unincorporated areas.

David Miller made a motion to approve continued funding of the Paragonah Fire Department in 2016, due to cooperation on Paragonah policing services. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVAL OF COOPERATIVE LAW ENFORCEMENT AGREEMENT BETWEEN THE IRON COUNTY SHERIFFS' OFFICE, THE USDA, AND THE FOREST SERVICE, DIXIE NATIONAL FOREST.

Mark Gower, County Sheriff, explained the Cooperative Law Enforcement Agreement was the annual contract with the United States Department of Agriculture (USDA) and the Forest Service, Dixie National Forest. The US Forest Service reimburses the Iron County Sheriff up to \$3,000 for law enforcement services Iron County provides. David Miller made a motion to approve the Cooperative Law Enforcement agreement between the Iron County Sheriffs' Office, the USDA, and the Forest Service, Dixie National Forest. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

APPROVAL OF CONTRACT WITH MESA CONSULTING GROUP, INC. FOR REMODEL OF IRON COUNTY OFFICE COMPLEX, 585 NORTH MAIN, CEDAR CITY

David Miller reported that the Public Safety Building was nearing the beginning of construction. David reported that the project was running slightly over budget. He explained that early in the process, it became apparent that the initial square footage would need to be reduced. David noted that even with reduced square footage, there were likely to be cost overruns. He explained that Iron County had worked with the State of Utah to include some tentative improvements, but in order to do that the architectural plans would need to be completed. With multiple entries received, Mesa Consulting had started on those improvements, and has suggested a price of \$44,000. David Miller made a motion to approve a contract with Mesa Consulting Group, LLC for up to \$44,000 for the remodel of Iron County Office Complex area. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

Commissioner David Miller requested to bring up a couple items reported on by Iron County Today. First he reported that Craig Bennett discovered that under some recent negotiations the Bureau of Land Management (BLM) had entered into a contract to sell wild horses to a party known to buy horses and send them to Mexico for slaughter. The BLM continues to demonstrate that what is good for them isn't for others. The second item Commissioner Miller brought forward was the Utah Public Lands Commission (UPLC) that was appointed specifically for looking into all the different aspects of Public Lands that are federally managed and how that affects the state of Utah. It has been arguable and clear that there are at least 3 reasons why the state of Utah could prevail in any kind of litigation concerning a transfer of Public Lands. Iron County needs to become more aware of our public lands and some of the findings of the UPLC.

PUBLIC HEARING TO CONSIDER & ADOPT THE 2016 FINAL BUDGET

Dale Brinkerhoff, Commission Chair, declared the public hearing to consider and adopt the 2016 final budget open.

Vicki Tyler, a citizen of Cedar City, said she was representing the Citizens for Government Accountability (CGA) and herself. This group recently formed as the result of commissioners gone rogue for the Western Freedom Festival (WFF). Dale Brinkerhoff reminded Vicki that for her to speak for others she would need written permission. She said she would speak for herself and noted the comments were put together by the group, but the others were not able to attend. Her interest in the WFF, came because of her ongoing association with the Cedar Livestock and Heritage Festival. She became concerned because the WFF was poaching on that successful, non-political, non-partisan event. David Miller interjected that before the WFF was even committed to, he had met with the board of the Cedar Livestock and Heritage Festival and

each board member stated they wanted to work together. David noted that from the onset the executive board was well aware of the WFF. Vicki replied that she also had a conversation with the Chair of the group, she herself being a member of the Executive Board, and that was not the conversation that had occurred with the founder and Chair of the Cedar Livestock and Heritage Festival board. Vicki explained that he was not happy with the WFF either. She stated that the CGA feels the Iron County Commission lacks organizational and fiscal responsibility. The Cedar Livestock and Heritage Festival was the largest event at the Diamond Z Arena. She has submitted Government Records Access and Management Act (GRAMA) requests to each of the counties involved in the WFF, asking them to be specific on who is funding what. Her requests have been met with different degrees of compliance and timeliness. The organizers from the WFF have yet to prove to CGA that it has even broke even. Iron County to date, even with requests made, have yet to produce minutes as to how the funds were allocated. In contrast, the Livestock and Heritage Festival have flawless books and would be met with full disclosure down to the last penny. Vicki expressed that the commissioners' efforts in organizing the WFF have been capricious, and the lack of fiduciary responsibility was appalling.

Patricia Paystrup, another member of the CGA, stated that the major issue she wanted to address is why so many people objected to the WFF. The claim that the WFF was not intended to be political could be challenged. She expressed that many were wondering where Ken Ivory's Land Transfer Bill came from. She found it interesting that Commissioner Heaton of Kane County and Commissioner Gardner of Washington County, when they attend meetings of the Lands Council, present a very glowing picture of how everyone is signing up for the American Lands Council and the land transfer movement. To date, Utah was the only State who had passed the measure and was pursuing it. When states got notice that Ken Ivory would be coming, there were many protestors against this saying land transfer movement is unwise, unpopular, and unconstitutional. Regardless of where someone might try to stage another WFF, there would be opposition. She urged the commissioners to remove the \$20,000 being appropriated from the TRT tax and consider whether it really would be worth misappropriation of tax dollars to continue the festival.

David Miller replied that the WFF was a celebration of agriculture and independence. David expressed that the freedoms the WFF celebrates are being challenged. He noted that local decisions for federal agencies had been reduced, and that programs and policies challenged the freedoms and rights of Iron County. David expressed that federal land manager of the U.S. Forest Service were collaborating with non-governmental organizations to adopt science on the lands that adversely affects the ranchers and users of the lands. He noted breeches of the Federal Advisory Committee Act (FACA), the National Forest Management Act of 1976 (NFMA), and the Federal Land Policy and Management Act (FLPMA), and explained that the WFF was to celebrate and talk about how to keep the heritage intact.

Dale Brinkerhoff, County Commission Chair, declared the public hearing closed.

RESOLUTION 2015-15 TO ADOPT 2016 FINAL BUDGET

David Miller expressed his appreciation to the staff and departments for the amount of time and effort to finalize the budget. He also told Vicky Tyler that he was appreciative of her comments and that they did not fall on deaf ears. David explained that there was a lot of time and effort put into the WFF and that it was not a failure. He would like to work together to address her concerns.

Gene Adams, County Auditor, commented he added \$83,000 to the Road Department that he failed to include, and \$40,000 to the Paragonah Fire Department. David Miller made a motion to approve Resolution 2015-15 to adopt the 2016 final budget, with the additions of \$83,000 to the Road Department and \$40,000 to the Paragonah Fire Department. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

CONVENE AS BOARD OF EQUALIZATION

DISCUSS AND REVIEW ABATEMENTS FOR THE 2015 TAX YEAR SUBMITTED BETWEEN OCTOBER 12, 2015 AND DECEMBER 17, 2015.

Christene Lowder explained that she had added a total of \$32,249.56 in adjustments between Oct 12th and Dec 15th. Most of them were circuit breakers, with many corrections made for veterans. Christene explained that the reason for this was the way the abatement program for the Veterans is calculated based on the percentage the Veterans Administration rates them. She noted that she would be seeking reimbursement for the regular home circuit breakers of \$160,890.64 from the State and \$1,669.99 on mobile homes. David Miller made a motion to approve the late applications for low income; homeowners tax credits; blind; and veterans abatements for the 2015 tax year submitted between Oct 12, 2015 and Dec 17, 2015. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

RECONVENE AS IRON COUNTY COMMISSION

NON-DELEGATED ITEMS

David Miller noted that the Central Iron County Water Conservancy District would be meeting that night to discuss the State Water Engineer's ground water management plan Cedar Valley.


APPROVAL OF MINUTES

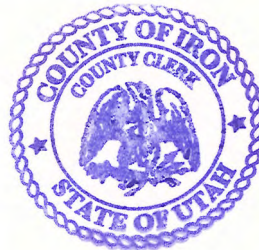
Dale Brinkerhoff made a motion to approve the minutes of September 28, 2015, with a correction to Commissioner Adams' comment in the Public Comments. The last paragraph should say "the sage grouse was not listed and was cause to celebrate." Second by David Miller. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

ADJOURNMENT

Dale Brinkerhoff made a motion to adjourn. Second by David Miller. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY SPECIAL COMMISSION MEETING
December 29, 2015**

Minutes of the Special Iron County Commission meeting convened at 10:00 a.m.
December 29, 2015 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
David J. Miller	Commissioner
Alma L. Adams	Absent, Excused
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Danny Stewart	Economic Development Director

SYNOPSIS

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Danny Stewart.

ADJOURN AS THE IRON COUNTY COMMISSION

**CONVENE AS THE GOVERNING BOARD OF THE IRON COUNTY COMMUNITY
DEVELOPMENT AND RENEWAL AGENCY**

**CONSIDERATION OF ICCD&RA RESOLUTION 2015-15 APPROVING A
CORRECTION TO THE RED HILLS RENEWABLES PARK CDA**

Danny Stewart, Economic Development Director, explained the necessity of an amended Project Area Plan for the Red Hills Renewables Community Development Agency (CDA). Danny explained that the legal descriptions used for the original Project Area Plan in 2010 as well as the amendment in 2014 reflected the outdated legal descriptions. Those legal descriptions exclude some land within the project, as well as include some land that is not within the project. Since those plans were adopted and approved, modern surveys have been performed that reflect the correct boundary of the Red Hills Renewables solar project. Danny explained that all the parties involved had no intention of using incorrect legal descriptions, and that all parties agreed the new legal descriptions correctly described the project.

Cindy Bulloch, Iron County Assessor, explained that the 2013 base value for the CDA changed from approximately \$1.70 million to \$1.19 million, due to the change in acreage.

Jon Whittaker, Iron County Clerk, noted that per UCA §17c-4-108-2a, the Iron County Development and Renewal Agency (ICCD&RA) council for this project, Ballard Spahr, LLP felt that this correction could be made without the 30 day public notice normally required.

After this discussion, David Miller made a motion to approve ICCD&RA Resolution 2015-15, approving a correction to the Red Hills Renewables Park Project Area Plan to conform its legal description to the understanding of the various parties and related matters. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

ICCD&RA RESOLUTION NO. 2015-15

A RESOLUTION OF THE GOVERNING BODY OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY APPROVING A CORRECTION TO THE PROPERTY DESCRIPTION IN THE REVISED DRAFT COMMUNITY DEVELOPMENT PROJECT AREA PLAN, UTAH RED HILLS RENEWABLE PARK AND RELATED MATTERS.

WHEREAS, the Iron County Community Development and Renewal Agency (the “Agency”) is a community development and renewal agency (a public body, corporate and politic) duly created, established, and authorized to transact business and exercise its powers, all under and pursuant to the Limited Purpose Local Government Entities—Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated 1953, as amended (the “Act”); and

WHEREAS, the governing body of the Agency (the “Board”) approved on March 24, 2014, a Revised Draft Community Development Project Area Plan, Utah Red Hills Renewable Park, dated March 24, 2014 (the “Plan”), for a Community Development Project Area (the “Project Area”) located entirely within Iron County; and

WHEREAS, the Board of County Commissioners of Iron County, Utah (the “County Commission”) designated the Plan as the official plan for the Project Area by Ordinance 2014-7, adopted on March 24, 2014, and a description of the land within the Project Area (the “Legal Description”) was recorded on Page 1500 in Book 1286 by the Iron County Recorder on March 26, 2014; and

WHEREAS, the Agency and Utah Red Hills Renewable Park, LLC, the developer of the Project Area (the “Developer”), have now determined that the Legal Description failed to include certain real property intended to be in the Project Area and included certain real property which is not necessary to be included in the Project Area, and the Agency and the Developer desire to correct the Legal Description of the Project Area to conform to the legal description to which all parties have previously agreed (such corrected legal description, the “Corrected Legal Description,” is attached hereto as Exhibit B); and

WHEREAS, as permitted by Section 17C-4-108 of the Act, (i) the changes made in the Corrected Legal Description to add property to the Project Area were requested by the County Assessor and County Auditor to avoid inconsistent property boundary lines and the governing body of the Agency has determined that such changes are minor adjustments as permitted by said section of the Act and (ii) in connection with the changes made in the Corrected Legal Description to remove property from the Project Area, the Governing Body has determined that inclusion of such property in the Project Area is no longer necessary or desirable and the record owner of the property being removed has consented to such removal; and

WHEREAS, it is the intention of the Agency that the Corrected Legal Description replace the legal description of the Project Area in all related documents and related conforming corrections be made as appropriate

WHEREAS, the Agency desires to approve a revision to the Plan incorporating the Corrected Legal Description (the “Revised Plan,” attached hereto as Exhibit C and hereby incorporated by reference); and

WHEREAS, an authorized representative of the Stowell Dennis/Marilee A Living Trust, the owner of record of the property affected by the correction to the Legal Description has given his/her written consent to the Corrected Legal Description shown on Exhibit B; and

WHEREAS, the Board now desires to approve the Revised Plan and submit the same to the County Commission for approval and adoption;

BE IT RESOLVED BY THE GOVERNING BODY OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, AS FOLLOWS:

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the Agency directed toward the preparation of the Revised Plan are hereby ratified, approved, and confirmed.

Section 2. The Board hereby approves the Corrected Legal Description for the Project Area as shown on Exhibit B.

Section 3. (a) As permitted by Section 17C-4-108 of the Act, (i) the changes made in the Corrected Legal Description to add property to the Project Area were requested by the County Assessor and County Auditor to avoid inconsistent property boundary lines and such changes are minor adjustments as permitted by said section of the Act and (ii) in connection with the changes made in the Corrected Legal Description to remove property from the Project Area, inclusion of such property in the Project Area is no longer necessary or desirable and the record owner of the property being removed has consented to such removal; and

(b) The Board hereby finds and determines that the Revised Plan with the Corrected Legal Description will continue to: (i) satisfy a public purpose, (ii) provide a public benefit as shown by the analysis in the Revised Plan, (iii) be economically sound and feasible, (iv) conform to the general plan of Iron County, and (v) promote the public peace, health, safety, and welfare of the community in which the Project Area is located.

Section 4. The Board hereby approves the Revised Plan, which is incorporated by reference, as the community development project area plan for the Project Area, and submits the Revised Plan for approval and adoption by the County Commission.

Section 5. The appropriate officers of the Agency are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. If any one or more sections, sentences, clauses, or parts of this Resolution shall, for any reason, be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this Resolution so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this Resolution in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Resolution in any other instances.

Section 7. All resolutions of the Agency in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution, by-law or regulation, or part thereof, heretofore repealed.

PASSED BY THE GOVERNING BODY OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY THIS DECEMBER 29, 2015.

(SEAL)

By: *Dale Brinkerhoff*
Chair

ATTEST:

By: *Jonathan T. Walthers*
Clerk



ADJOURN AS THE GOVERNING BOARD OF THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

RECONVENE AS THE IRON COUNTY COMMISSION

CONSIDERATION OF ORDINANCE 2015-12, APPROVING A CORRECTION TO THE RED HILLS RENEWABLES PARK CDA

David Miller made a motion to approve Ordinance 2015-12, approving a correction to the Red Hills Renewables Park Area Project Plan to conform its legal description to the understanding of the various parties and related matters. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.

ORDINANCE NO. 2015-12

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS (THE “BOARD”) OF IRON COUNTY, UTAH ADOPTING A CORRECTION TO THE UTAH RED HILLS RENEWABLE PARK PROJECT AREA PLAN, AND RELATED MATTERS.

WHEREAS, the Iron County Community Development and Renewal Agency (the “Agency”) is a community development and renewal agency (a public body, corporate and politic) duly created, established, and authorized to transact business and exercise its powers, all under and pursuant to the Limited Purpose Local Government Entities—Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated 1953, as amended (the “Act”); and

WHEREAS, the governing body of the Agency (the “Agency Board”) approved on March 24, 2014, a Revised Draft Community Development Project Area Plan, Utah Red Hills Renewable Park (the “Plan”), for a Community Development Project Area (the “Project Area”) located entirely within Iron County; and

WHEREAS, the Board designated the Plan as the official plan for the Project Area by Ordinance 2014-7, adopted on March 24, 2014, and a description of the land within the Project Area (the “Legal Description”) was recorded on Page 1500 in Book 1286 by the Iron County Recorder on March 26, 2014; and

WHEREAS, the Agency and Utah Red Hills Renewable Park, LLC, the developer of the Project Area (the “Developer”), have now determined that the Legal Description failed to include certain real property intended to be in the Project Area and included certain real property which is not necessary to be included in the Project Area, and the Agency and the Developer desire to

correct the Legal Description of the Project Area to conform to the legal description to which all parties have previously agreed (such corrected legal description, the “Corrected Legal Description,” is attached hereto as Exhibit B); and

WHEREAS, as permitted by Section 17C-4-108 of the Act, (i) the changes made in the Corrected Legal Description to add property to the Project Area were requested by the County Assessor and County Auditor to avoid inconsistent property boundary lines and the County Commission has determined that such changes are minor adjustments as permitted by said section of the Act and (ii) in connection with the changes made in the Corrected Legal Description to remove property from the Project Area, the County Commission has determined that inclusion of such property in the Project Area is no longer necessary or desirable and the record owner of the property being removed has consented to such removal; and

WHEREAS, by resolution adopted on today’s date the Agency has approved a revised Plan (the “Revised Plan”), attached hereto as Exhibit C and hereby incorporated by reference, which includes the Corrected Legal Description; and

WHEREAS, it is the intention of the Agency that the Corrected Legal Description replace the Legal Description of the Project Area in all related documents and related conforming corrections be made as appropriate and the Revised Plan replace the Plan in its entirety; and

WHEREAS, an authorized representative of the Stowell Dennis/Marilee A Living Trust, the owner of record of the property affected by the correction to the Legal Description has given his/her written consent to the Corrected Legal Description shown on Exhibit B; and

WHEREAS, the Revised Plan with the Corrected Legal Description will continue to promote community development and job creation within the Project Area and increase the property tax base within the Project Area through the construction of certain solar energy producing facilities; and

WHEREAS, the Board now desires to adopt the Revised Plan as approved by the Agency;

NOW, THEREFORE, THE BOARD ORDAINS AS FOLLOWS:

Section 8. All terms defined in the recitals hereto shall have the same meaning when used herein. All actions heretofore taken (not inconsistent with the provisions of this Ordinance) by the Board and County officers and by the governing board and Agency officers directed toward the preparation of the Revised Plan are hereby ratified, approved, and confirmed.

Section 9. The Board hereby finds and determines that:

(a) as permitted by Section 17C-4-108 of the Act, (i) the changes made in the Corrected Legal Description to add property to the Project Area were requested by the County Assessor and County Auditor to avoid inconsistent property boundary lines and such changes are minor adjustments as permitted by said section of the Act and (ii) in connection with the changes made in the Corrected Legal Description to remove property from the Project Area, inclusion of such property in the Project Area is no longer necessary or desirable and the record owner of the property being removed has consented to such removal; and

(b) the Revised Plan with the Corrected Legal Description will continue to: (i) satisfy a public purpose, (ii) provide a public benefit as shown by the analysis in the Revised Plan, (iii) be economically sound and feasible, (iv) conform to the general plan of the County, and (v) promote the public peace, health, safety, and welfare of the community in which the Project Area is located.

Section 10. The Board hereby approves the Corrected Legal Description for the Project Area as shown on Exhibit B.

Section 11. The Board hereby adopts the Revised Plan with the Corrected Legal Description and designates the Revised Plan as the official community development plan of the Project Area.

Section 12. Immediately after its adoption, this Ordinance shall be signed by the Chair and attested by the County Clerk and shall be recorded in the ordinance book kept for that purpose. A summary of this Ordinance, in substantially the form attached hereto as Exhibit D, shall be published (A) one time in the Spectrum/Daily News, a newspaper of general circulation within the Agency's and County's boundaries, (B) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (C) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended, with such publication to take place as soon as possible after the adoption of this Ordinance; and shall cause a copy of this Ordinance (together with all exhibits hereto) and the Revised Plan with the Corrected Legal Description to be kept on file in the office of the County Clerk for public examination during the regular business hours of the County Clerk for a period of at least thirty (30) days from and after the last date of publication thereof. This Ordinance shall take effect immediately upon its passage and approval and publication as required by law, but in no event earlier than 15 days after its passage.

Section 13. The appropriate officers of the County and the Agency are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 14. If any one or more sections, sentences, clauses, or parts of this Ordinance shall, for any reason, be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this Ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this Ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Ordinance in any other instances.

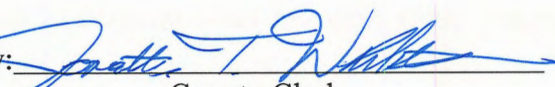
Section 15. All resolutions or ordinances of the County in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, ordinance, by-law or regulation, or part thereof, heretofore repealed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY,
UTAH THIS DECEMBER 29, 2015.

(SEAL)

By: 
Chair

ATTEST:

By: 
County Clerk




David Miller noted that Commissioner Alma Adams was away with family for the holidays, and was excused. Also that Commissioner Adams had written his agreement with the changes made to the Red Hills Renewables Project Area Plan.

ADJOURNMENT

David Miller made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; David Miller, Aye.


Signed: Dale M. Brinkerhoff, Chairman


Attest: Jonathan T. Whittaker, County Clerk

