

IRON COUNTY COMMISSION MEETING
January 14, 2019

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 14, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Dan Jessen	County Auditor
Carri R. Jeffries	County Recorder
Nicole B. Rosenberg	County Treasurer

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Henrie Walton.

INVOCATION

An invocation was offered by William Pressgrove.

APPROVAL OF MINUTES

Alma Adams made a motion to approve the minutes of the Iron County Commission meetings held October 22, November 13 and December 10, 2018. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye.

REVIEW OF IRON COUNTY BOARD APPOINTMENTS

The commissioners reviewed Iron County boards and the individual serving on those boards. On the Boundary Commission, it was decided that Paul Cozzens would replace Dale Brinkerhoff. Regarding the Career Service Council, the commissioners asked Jon Whittaker to review whether or not the Career Service Council’s duties were to be carried out by an administrative law judge. Because George Colson had replaced John Higley as the Emergency Manger, the Chairman of the Local Emergency Preparedness Committee (LEPC) was updated to George Colson. The commissioners tasked Jon Whittaker to review whether the Mountain View Special Service District needed to continue. Paul Cozzens was tasked to replace Dale Brinkerhoff of the Southwest Behavioral Health Board. 2 new members of the Central Iron County Water Conservancy District (CICWCD) were discussed. David Harris of Enoch and Joel Meyers of Gem Engineering had accepted the invitation to serve on the CICWCD, and were voted on during the “Non-Delegated” portion of this meeting.

REVIEW OF IRON COUNTY COMMISSION ASSIGNMENTS

The commissioners agreed to change the CICWCD to Paul Cozzens. They also clarified their Utah Association of Counties (UAC) and National Association of Counties (NACo) committees.

COMMISSIONER REPORTS

Paul Cozzens reported that he had driven parts of the northerly proposed belt route. Paul reported that he had been working with the Justice Court regarding the Indigent Appeals issue.

Alma Adams reported that the Iron Springs Road would need improvements due to a Loading Tipple being built for the coal trucks. The Upgrade could be around \$3.5M. Alma reported that there was a possibility of a grant through CIB. There could be up to 300 trucks using the road in the future.

Michael Bleak reported that there was a growing need for a new Iron County Jail. Mike explained that he had asked the Masters of Public Administration Department located at Southern Utah University (SUU) to provide a site study to look at potential sites for a new jail. There were two Master students that were moving forward on the project.

DISCUSSION & POSSIBLE ADOPTION OF ORDINANCE 2019-1 REGARDING SHORT TERM RENTALS

Reed Erickson, Iron County Planner, explained that there were two changes made to the Ordinance since the last commission meeting. On Pg. 9 Section 3 he had to have a balance between the Short Term Rental (STR): when the owner was not present, and Bed & Breakfast (B&B): when the owner was present. The definitions left the B&B (with

owner present) more restrictive than the STR. The Conditional Uses prohibited were now an Administrative Land Use (ALU) permit. B&B would now be allowed in all zones. On Pg. 2 the Transient Room Tax (TRT) would include B&B and STR. The TRT was collected from rentals less than 30 day stays.

Michael Bleak, Iron County Commission Chair, declared the public hearing regarding Ordinance 2019-1 open.

Dan Jessen, citizen of Iron County, asked if the STR did not fit the definition in the Ordinance were they still required to obtain a business license and remit the TRT. Reed replied that yes they would be required to do so.

Paul Cozzens asked how many complaints had been filed. Reed replied that there were no complaints made to him. Paul said he was concerned with certain parts of the Ordinance. A few were: no definition of a Property Manager; owner shall not be relieved of personal responsibility or personal liability for noncompliance, STR business license would be accompanied by a fee, the 14 day notice, parking should be on the subject property, and violations shall authorize zoning administrator to impose.

Bill Pressgrove, citizen of Iron County, asked that if the individual did not agree with the planning commission enforcement was there a higher place to go. Reed explained that it would go to a hearing officer.

Paul stressed that enforcement was a concern for him as to who would be enforcing it.

Reed explained that the Ordinance was to allow for a Business License.

Jon Whittaker read two letters that he had received that opposed the regulation of STR's.

Michael Bleak, Iron County Commission Chair, declared the public hearing regarding Ordinance 2019-1 closed.

APPOINTMENT OF THE IRON COUNTY COMMISSION CHAIR FOR 2019

Michael Bleak made a motion to appoint Alma Adams as the Iron County Commission Chair for 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF TEMPORARILY FUNDING AN ADDITIONAL FULL TIME EMPLOYEE IN 911 DISPATCH

Dan Jessen, Iron County Auditor, explained that the 911 funds were transferred to the state. There was a large 911 fund balance which could only be used in 911. There was a request for an additional 911 dispatcher. Iron County would temporarily fund the 911 dispatcher from January 2019-June 2020 in the amount of \$177,000. The salary of \$39,000 would come from the 911 fund then the Consolidation would take over the payment of the additional \$78,000. Dan noted that there would be a budget adjustment in June. Michael Bleak made a motion to approve the temporary funding of an additional full time employee for the 911 Dispatch from January 2019-June 2020 at \$39,000 for half the year and \$78,000 for the full year for a total of \$177,000 noting that the Consolidation would take over the funding in July of 2020. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC COMMENTS

No public comments were offered.

DISCUSSION AND POSSIBLE ACTION REGARDING CONCERNS ABOUT ZONING RULES AND THE TABLE OF USES

William Pressgrove, a citizen of Iron County, quoted from Article 1 Section 1 of the Utah Constitution, The Iron County Oath of Office, and the Iron County Table of Uses 17.02.040 B. Mr. Pressgrove stated that the Table of Uses did not give property owners the rights to their property but to the government, which is an encroachment to

the Utah Constitution. He quoted the "Accessory Outside Storage" and noted that the words hazardous/flammable materials did not have a clear description. If he had a wood burning stove it was logical to have a wood pile outside, but the wordage prohibited it. Mr. Pressgrove suggested that the commission review and make the word changes that would make it a suggestion instead of mandatory for each citizen and violating their inalienable rights.

Alma Adams reported that yesterday, January 13th, was the 168th birthday of Parowan City. There was a lunch and celebration being held at Parowan High School that everyone was invited to attend. The commissioners would take an early lunch to attend the celebration.

Alma Adams requested that former Iron County Commissioner Dale Brinkerhoff join the other commissioners up front. Alma congratulated Dale for 8 years of service as an Iron County Commissioner. Dale thanked everyone for their support of the Iron County Commission.

APPROVAL OF A NEW CONTRACT FOR A REGISTERED NURSE AT THE IRON COUNTY JAIL

Lieutenant Joanna Cuthers, Iron County Corrections Commander, explained that this was the final approval for the contract of RN Michelle Anderson. Alma Adams reported that there would need to be a wordage correction on Pg. 2 of the contract that read "Iron County would receive compensation to Iron County." Michael Bleak made a motion to approve the contract for a Registered Nurse for the Iron County Corrections Department with the wordage correction on Pg. 2. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

LOCAL CORRIDOR PRESERVATION FUND (LCPF) REQUEST. CEDAR HIGHLANDS REQUEST FOR RIGHT-OF-WAY FUNDING TO ACQUIRE LOTS 5-1 & 5-2 CEDAR HIGHLANDS SUBDIVISION TO FACILITATE THE REROUTING OF CEDAR HIGHLANDS DRIVE. REQUEST FOR \$160,000 FROM THE IRON COUNTY LCPF, WITH PROCEEDS FROM SALE OF REMAINDER PROPERTY TO REIMBURSE THE LCPF UP TO \$160,000

Reed Erickson, Iron County Planner, explained that Cedar Highlands had submitted an application with everything required to acquire the lots for the right-of-way. Iron County holds the fund from the LCPL thus giving the Iron County Commission the authority to disperse the funds. Reed reported that there was a revision to the LCPF allowing an acquisition of the entire parcel not just the right-of way of the road. He explained that the Planning Committee would recommend approval based on once the properties were acquired and the road was created, Cedar Highlands would have to will the deed of the entire parcel now, with the remnants to be subdivided then sold. The proceeds from the sale of the remainder property would reimburse the LCPF up to \$160,000. Mayor Steven Swann explained that the project was to lower the road grade from 90 percent to 10 percent. Dan Jessen noted that there would need to be a budget adjustment. Paul Cozzens made a motion to approve the Local Corridor Preservation Fund (LCPF) request from Cedar Highlands for right-of-way funding to acquire Lots 5-1 & 5-2 Cedar Highlands Subdivision to facilitate the rerouting of Cedar Highlands Drive for \$160,000 with proceeds from the sale of the remainder property to reimburse the LCPF up to \$160,000. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

REQUEST CONSIDERATION TO ALLOW AN ABATEMENT DUE TO MEDICAL PROBLEMS IN THE AMOUNT OF \$833.71 FOR YEAR 2018. APN B-65-99

Clarke Lium, Co-trustee of the Peggy A. Hunt Revocable Trust, explained that Ms. Hunt had been living alone in her home when in June she had a fall and was not discovered for 18 hours. She was transported to the hospital in a coma and a broken hip. Ms. Hunt was now in an Assisted Care Facility where she will remain. Mr. Lium reported the abatement was missed and that Ms. Hunt had previous abatements approved. He was requesting that the commissioners approve the abatement in the amount of \$833.71 for 2018. Alma Adams made a motion to forgive the tax for APN B-65-99 in the amount of \$833.71 plus any late fees. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

CONSIDER ADOPTION OF 2019 PER DIEM RATE AND MILEAGE REIMBURSEMENT RATES TO MATCH UTAH STATE AND IRS STANDARD MILEAGE RATES, RESPECTIVELY

Dan Jessen, Iron County Auditor, explained that history showed that Iron County matched the IRS Standard Rates. Dan reported that the Per Diem rate for 2019 was \$43.00 (\$10.00 Breakfast, \$14.00 Lunch, \$19.00 Dinner). The mileage reimbursement rate was 0.58 cents. He explained that there were two mileage rates: 1. 0.58 cents for a typical mileage when there was not a county vehicle available and the employee used their own vehicle: 2. 0.43 cents when there was a county vehicle available but the employee opted to use their own vehicle. Michael Bleak made a motion to approve the 2019 Per Diem Rate and Mileage Reimbursement Rates as presented by Dan Jessen. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

APPROVAL TO SUBMIT AN APPLICATION TO THE BUREAU OF LAND MANAGEMENT (BLM) TO PATENT LEASE U-54574, RECREATION AND PUBLIC PURPOSE LEASE OF JANUARY 8, 1986 (AND SUBSEQUENT AMENDMENTS) FOR THE GREATER THREE PEAKS RECREATION AREA

Mike Worthen, Iron County Resource Management Plan Director, explained Iron County had chosen to submit an application to the BLM to continue the Patent Lease U-54574 for the recreation and public purpose lease for the Greater Three Peaks Recreation Area. The lease has been in place since January 8, 1986. Mike reported that the area is 157 acres and the cost to submit the application was \$100.00. Paul Cozzens made a motion for approval to submit an application to the BLM to Patent Lease U-54574 as presented by Mike Worthen. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF "THE COUNTY SEAT" PROGRAM EXPENDITURES

Maria Twitchell, Iron county Executive Director of the Cedar City/Brian Head Tourism Bureau, reported that the Transient Room Tax (TRT) did not come through as anticipated and budgeted. As a result of the shortfall she had to adjust line items in her budget in order to keep projects whole. Maria reported that she was down in revenue approximately \$60,000. There was a concern from the TRT Board that "The County Seat" was not the best way to pay for advertising to generate visitors to Iron County. She reported that the TRT Board would respect the decision of the commissioners. Alma Adams reported that Iron County had committed to The County Seat and recommended that they move forward with funding. Maria reported that she has had to inform events that they may not be receiving as much funding as anticipated. Michael Bleak made a motion to approve to fund "The County Seat" with \$13,000 coming from the General

Fund and \$13,000 from the TRT Fund. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Alma Adams recommended that the Iron County Commission work with Maria so that Tourism was not shorted in the future.

**DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 2019-2
CORRECTION OF MONARCH MEADOWS STREET NAMES**

Jonathan Whittaker, Iron County Clerk, explained that there was a mistake made which made approximately 400 address misnamed in the Monarch Meadows Subdivision. In March 13, 2007, there was an ordinance passed by the Iron County Commission which corrected the North and South Lot numbers. The West and East numbers were not affected. However the road numbers remained incorrect. This has caused some inconvenience with owners trying to get their utility connections done. Jon reported that Ordinance 2019-2 would correct those. Paul Cozzens made a motion to approve Ordinance 2019-2 correction of Monarch Meadows street names, with the resent corrections. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

SURPLUS VEHICLE BID APPROVALS

Paul Cozzens made a motion to accept all winning bid submitted for the surplus vehicles and pipe. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker presented new hire, Skyler Brown, as a Landfill Technician for, effective date of January 14. This was a backfill of a vacant position. Adrion presented new hire, Sam Woodall, as a Deputy Attorney I, effective date of January 14, 2019. Adrion explained that Sam was a practicing Attorney but would need to pass the Utah Bar, which would meet the requirements for Deputy Attorney II. The approval would be caveat to Sam passing the Utah Bar which would then move him to Deputy Attorney II. This was a backfill of a vacant position. Adrion presented new hire Joseph Franklin as a Corrections Deputy, effective date of January 27. Joseph was certified and qualified for 9 percent of \$19.19 per hour. Michael Bleak made a motion to approve new hires as presented by Adrion Walker. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion presented for promotions Shane Klenk from Deputy Attorney II to Chief Deputy Attorney/Criminal focus with an associated pay increase, effective date of December 30, 2018; Deputy Jonathan Groom from Corrections Deputy II to Corrections Deputy III with an associated pay increase of 5 percent, effective date of December 30, 2018; Deputy Matthew Malachowski from Corrections Deputy I to Correction Deputy III with an associated pay increase of 10 percent, effective date of December 30, 2018. Paul Cozzens made a motion to approve the employee promotions as presented by Adrion Walker. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

County Boards

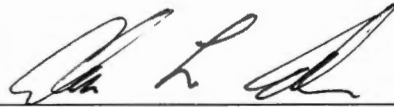
Alma Adams presented David Harris (Enoch) and Joel Myers to be appointed to the Central Iron County Water Conservancy District (CICWCD) Board. Paul Cozzens made a motion to appoint David Harris and Joel Myers to the CICWCD Board. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION REGARDING STRATEGY FOR PENDING AND REASONABLY IMMINENT LITIGATION. THIS ITEM MAY BE DISCUSSED IN A CLOSED SESSION

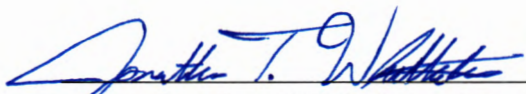
Michael Bleak made a motion to enter into a closed session regarding strategy for a reasonably imminent litigation in accordance with UCA §52-4-205(c). Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, 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(c) for the purpose of discussing pending or reasonably imminent litigation.



Signed: Alma Adams, Chairman

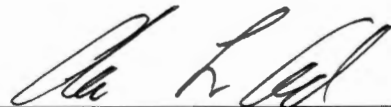


Attest: Jonathan T. Whittaker, County Clerk

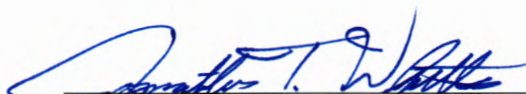


ADJOURNMENT

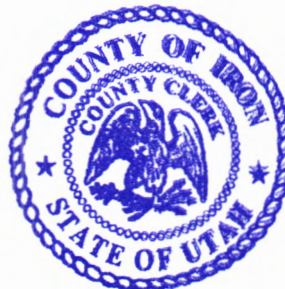
Alma Adams made a motion to adjourn. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
JANUARY 28, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 28, 2019
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Adam Snow.

INVOCATION

An invocation was offered by Paul Cozzens.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held January 14th. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Cindy Bulloch, Iron County Assessor, reported that an open position in the Assessor's Office had only four applications. Just one of those had experience as an Appraiser. She said she had decided to wait to fill the position. Cindy reported that assessments had been required to be within 10 percent plus or minus of market value which was between 90-110 percent. Assessed values now had to be within 95-105 percent of appraised value. The stricter requirements would require her office to work harder, especially when valuing the west desert. Iron County had traditionally been at about 92% to 93%. To be in compliance all values would be going up this year regardless what was happening in the market. If the assessments did not fall within the parameters, the state would impose the necessary adjustments. Cindy noted that the Utah State Legislature was now in session and discussed various bills with the commissioners.

Dan Jessen, Iron County Auditor, reported that the Auditor budget (before the end of the year work was completed) ended at 98.9 percent for 2018. Dan reported that he was in the process of the selection of a new Independent Auditor. He reported that he would now be reporting quarterly and presented the quarterly report of the balance sheet to the commission. Dan explained that he selected a date but the numbers would continue to change because the report was usually pulled at the end of the year. Dan then discussed Economic indicators. As of January the population growth in Utah was at 19.1 percent which is the third highest in the country. Job growth in Iron County was at 5 percent and was one of the strongest counties in Utah. He noted that there were signs of change in the economy.

Nicole Rosenberg, Iron County Treasurer, reported that total tax collection were over \$56M in 2018. Tax distribution only to Iron County was over \$11M. The Pooled Cash was approximately at \$34M. Outstanding taxes owed decreased from \$7M in January, 2018 to \$6M in January, 2019, a reduction of \$834,000. Nicole noted that the top five delinquent accounts comprised \$4.5M of the total outstanding taxes owed. Black Iron owed over \$4M. Nicole reported that Instant Payments continued to increase in use and to produce a great savings for Iron County. The May tax sale would be starting at 231 parcels and notices were sent out. She appreciated Nicole Bess working hard updating addresses from bills returned. The Audit from the State Auditor went well.

Carri Jeffries, Iron County Recorder, reported that total recordings were down slightly from 4,200 in the 4th Quarter of 2018 to 3,600. In 2017 the total number of recorded documents was at 15,214 and in 2018 they were at 15,683. Total revenue was down from \$300,315 in 2017 to \$296,228 in 2018. She attributed the drop to more documents being emailed and the revenues going through the Information Technology (IT) Department. Carri reported that transition was going well in the office. Adele Lloyd was moved to mapping and Erin Johnson was hired and doing well. She reported that every January a "Plat Run" was required which was to copy and scan all ownership plats in Iron County. She noted that the Plat Run was completed the previous week. Carri made special note of Dana Stubbs, who did a great job scanning the maps. Dana went above and beyond her normal duties and Carri was very appreciative of her. Carri reported that the Utah Association of Counties (UAC) and the Recorders in Utah had been making strides to standardize recording fees, which are established by law. She noted that it was good to standardize fees because recording prices were so complicated at the present. However, there had not been an increase since 1993 and the increase was going to be a big jump. The proposed recording fee was \$45 per document, with many fewer exceptions.

Paul Cozzens, Iron County Commissioner, reported that he continued to work on the Indigent Appeals issue. The question was whether Dale Sessions could continue any cases that began before his contract was scheduled to be renewed at the end of March. The answer was he would be able to continue, and the commissioners expressed appreciation for the work Dale Sessions was doing.

Alma Adams, Iron County Commissioner, reported that Iron County wanted to trade with Utah Department of Transportation (UDOT) to do the improvements to Iron Springs Road. Alma informed the other commissions that they needed to be part of a conference call with The Dicio Group on the 29th at 1pm.

DISCUSSION & CONSIDER ACTION ON THE PROPOSED PARTIAL VACATED AND AMENDED PLAT OF LOTS 1 & 2 BLOCK F, LOT 1 BLOCK G, GREEN MEADOW ACRES UNIT 2 SUBDIVISION, ROAD REALIGNMENT

Reed Erickson, Iron County Planner, explained that the proposed amendments included Lots 1 & 2, Block F and Lot 1, Block C in the Green Meadow Acres Unit 2 subdivision near Brian Head Town. The original road was never used and they wanted to move the right-of-way. Property owners had signed the agreements and all required postings were done. The document had been reviewed and signed by the engineers.

Alma Adams, Iron County Commission Chair declared a public hearing for the proposed partial vacated and amended plat of lots open. No public comments were offered.

Alma Adams declared the public hearing closed.

Michael Bleak made a motion to approve the partial vacated and amended plat of Lots 1 & 2, Block F, and Lot 1, Block G, Green Meadow Acres Unit 2 Subdivision, road realignment. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC COMMENTS

No public comments were offered.

AWARD CONTRACT FOR THE INDEPENDENT AUDIT OF FY 2018 AS RECOMMENDED BY THE IRON COUNTY AUDIT COMMITTEE

Dan Jessen reported that the Audit Committee met and reviewed the bids for the Independent Audit for Iron County. Three bids were submitted and the committee recommended the contract be awarded to Kimball & Roberts CPA out of Richfield, Utah for \$24,680. Dan reported that the contract was advertised for a one year bid, but the bid was quoted for 4 years at the same rate. Paul Cozzens made a motion to award the Independent Audit of FY 2018 contract to Kimball & Roberts. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION & POSSIBLE APPROVAL OF RESOLUTION 2019-1 AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE US DEPT OF INTERIOR, BUREAU OF LAND MANAGEMENT (BLM) TO PATENT LEASE U-54574, THE RECREATION AND PUBLIC PURPOSED LEASE OF JANUARY 8, 1986 (AND SUBSEQUENT AMENDMENTS) FOR THE GREATER THREE PEAKS RECREATION AREA. CARRIED OVER FROM THE JANUARY 14TH REGULAR COMMISSION MEETING

Maria Twitchell, Iron County Executive Director of the Cedar City/Brian Head Tourism Bureau, reported that this was just a continued conversation to begin the process now that the Government was open. Maria recommended the approval of the ownership of Three Peaks Recreation. Michael Bleak made a motion to approve Resolution 2019-1 authorizing the submission of an application to the US Department of Interior, BLM to Patent Lease U-54574, the Recreation and Public Purposed Lease of January 8, 1986 (and subsequent amendments) for the Greater Three Peaks Recreation Area. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY RESOLUTION 2019-1

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE UNITED STATE DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT TO PATENT LEASE U-54574 – THE RECREATION AND PUBLIC PURPOSES LEASE OF JANUARY 8, 1986 (AND SUBSEQUENT AMENDMENTS) FOR THE GREATER THREE PEAKS RECREATION AREA.

Whereas, The Recreation and Public Purposes Act (68 Statute 173; 43 U.S.C. 869 et. Seq.) (“Act”) authorizes the lease or sale of public lands for recreational or public purposes to state and local governments; and

Whereas, Utah Code 17-5-320 (2) provides statutory authority for counties to acquire lands for county purposes; and

Whereas, the Iron County General Plan, Policy LU1.1 encourages the county to increase the amount of patented lands within the County; and

Whereas, on January 8, 1986, Iron County applied for and received R&PP Lease U-54574 of 70 acres to establish the Greater Three Peaks Recreation Area to provide staging areas for various recreation activities; and

Whereas, said lease was subsequently amended to include an additional 85 acres, for a total of 157.133 acres of land for recreational purposes; and

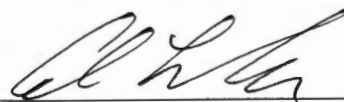
Whereas, Iron County has worked closely with the BLM on planning, constructing, and maintaining the recreation facilities located on the R&PP site; and

Whereas, to further such recreation and support activities, Iron County is ready to submit an application to the BLM for patent or deed of the R&PP area and assume ownership.


Now, Therefore, Be It Resolved the Iron County Board of County Commissioners authorize submission of application to the United States Department of the Interior, Bureau of Land Management requesting patent of R&PP Lease U-54574, Greater Three Peaks Recreation Area, in Iron County as described in Exhibit A.

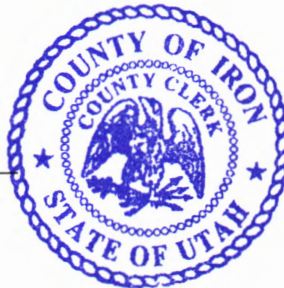
PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 14th Day of January, 2019.

BOARD OF COUNTY COMMISSIONERS IRON COUNTY, UTAH

By: 
Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker,
Iron County Clerk



VOTING:

Alma L. Adams Aye
Michael Bleak Aye
Paul Cozzens Aye

January 28, 2019

CO-LOCATION AGREEMENT WITH GOLD CROSS SERVICES

George Colson, Iron County Emergency Manager, presented an agreement to the commissioners to share bay space at the Beryl Fire Department with Gold Cross Services, ambulance provider. George noted that the President of Gold Cross Services, Gene Moffitt, had offered to pay for 20% of the expenses, which was more than was asked for. Paul Cozzens made a motion to approve the co-location agreement with Gold Cross Services for bay space at the Beryl Fire Department. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker presented the new hire of Kaylee Pickering as a Communications Specialist, effective January 28th, as a backfill position for approval. Michael Bleak made a motion to approve the new hire of Kaylee Pickering as explained. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion Walker presented the new hire of Rick Vincent as a Corrections Deputy, effective February 10th, as a backfill position for approval. Adrion Walker also presented the transfer of Ryan Sessions from Part Time Medical Technician to Corrections Deputy, as a backfill position and effective February 10th for approval. Adrion Walker presented a pay increase for Tanner Edwards for completion of Peace Officer Standards Training (POST), retroactive to November resulting in \$377 back pay. Paul Cozzens made a motion to approve the personnel changes in Corrections as explained. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion Walker presented a pay increase for completion of a 6-month probationary period plus a 1.5% Cost of Living Adjustment (COLA) for Rex Dungan, Appraiser, effective January 13th. Michael Bleak made a motion to approve the increases for Rex Dungan as explained. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion Walker presented a request to retain Jeffrey McKee as a Temporary, Part Time Building Inspector-Zoning Officer and Maintenance, effective February 10th for approval. Adrion Walker presented a request to convert an existing Full Time Building Inspector-Zoning Officer-Maintenance position to a Full Time Building Inspector-Zoning Officer for approval. Said change would necessitate an increased pay range, but Adrion expressed that a budget adjustment to accommodate the increased pay range might not be necessary because of the time required to advertise for and fill the vacant position. Paul Cozzens made a motion to approve the Building and Zoning changes as explained. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

OPEN MEETING LAW TRAINING

Michael Edwards presented the annual open meeting law training to the commissioners, using Utah Code Annotated (UCA) § 52-4. Michael also reviewed discretion and disclosure laws with the commissioners.

NON-DELEGATED ITEMS

COUNTY BOARDS

Jon Whittaker reported that there had been approximately six individuals sign up on the website that were interested on being on the different County boards.

COURTHOUSE

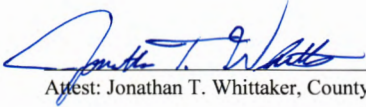
Alma Adams reported that the Courthouse sign was up in the front of the building. Alma recommended that the drinking fountains be plumbed separate from salted water.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

February 11, 2019

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 11, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Dan Jessen	County Auditor
Chad Dotson	County Attorney
Jared Wilson	IT Director
Carri R. Jeffries	County Recorder
Nicole Rosenberg	County Treasurer

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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 Chad Dotson.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held January 28, 2018. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Chad Dotson, Iron County Attorney, noted that there were several 2018 record statistics. The first record was 152 Task Force cases. Also, there were 288 Felony Drug cases and 25 cases of Child Sexual Abuse. He noted that the Iron County Attorney's Office had filed on over 100 cases in 2019 thus far. Chad noted that a statewide opioid lawsuit was likely to be consolidated. Chad noted that Iron County objected to the consolidation. In conclusion, he reported that the office was fully staffed with the hiring of Samuel Woodall.

Stephanie Furnival, Iron County Children's Justice Center (CJC) Director, reported that her office was preparing to apply for a new round of Victims of Crime Act (VOCA) funding. Stephanie noted that the VOCA grants amounted to about \$500K of funding over 2 years. She noted that the increased grant funding came with additional reporting requirements, and that the VOCA staff suggested using the monies to fund an additional Part Time Secretary to assist with the reporting. Stephanie expressed gratitude to the Leavitt Center for providing a payed intern which had helped greatly. She noted that Garfield County was ready to be included under the CJC umbrella, with a recent case being processed by the Cedar City CJC. Stephanie noted that the service to Garfield County would be provided by changing the current Victim Advocate from Part Time to Full Time. The CJC had won the Cedar City Chamber of Commerce CEO award. She noted that the CJC had everything it needed. The commissioners expressed gratitude for the important work the CJC did.

Lori Eichelberger, Justice Court Administrator, reported that staffing was running smooth. Lori noted that there could be a hike in Utah Highway Patrol (UHP) citations as a result of the lack of vehicle safety inspections. The UHP would be monitoring and giving citations for vehicles that had safety issues when pulled over. There were many cases that had to be reviewed so she asked Professional Probation Services (PPS) to open an office in Cedar City to help follow through with the cases.

Jared Wilson, Information Technology (IT) Director, reported that there were 3,467 work orders completed in 2018. Projects completed in 2018 included Incode, Utility Billing and Accounts Receivable, on the system and working, upgraded servers, networking infrastructure, implemented a cluster server and the Tyler content manager. Projects that are earmarked for 2019 included a major update for the fair exhibit software, MCAD for the Fire Department, Color Country Trail System, a second cluster server, time-entry scheduling software, security cameras at the Courthouse, Visitor Center and Jail, GIS and new Attorney software.

Paul Monroe, Central Iron County Water Conservancy District (CICWCD) General Manager, got called to the Utah Legislature and would not be in attendance. Paul Cozzens reported that Paul would be testifying before the Natural Resources Committee to acquire funding for the Environmental Impact Study for the West Desert, the CICWCD finalized a deal with State Institutional Trust Lands (SITLA) to purchase a section of land in Pine Valley for a solar farm to power pumps and they had begun metering all the recharge areas in the Cedar Basin.

**PRESENTATION ON THE PROGRESS OF THE NEWLY GRANT FUNDED
IRON COUNTY VICTIM SERVICES ADVOCATES**

Brionna Garrett, Iron County Victim Advocate for the Sheriff Department, reported that in the last three months there had been 108 victims of various crimes served. The soft rooms had been updated with the VOCA Grant. Brionna reported that they had been able to create Domestic Violence and General Victims Services brochures for the law enforcement agents to hand out to victims. Elizabeth Soriano, Victim Advocate with the Iron County Police Department, was bilingual and was able to offer service. She noted that she was able to enlist a Suicide Prevention trainer to train 50 Officers in Cedar City. Brionna noted that the officers in Parowan and Enoch Cities would also be trained.

PUBLIC COMMENTS

No public comments were offered.

**DISCUSSION AND POSSIBLE APPROVAL OF A GRANT AND AGREEMENT
AWARD FOR THE NATURAL RESOURCES CONSERVATION SERVICE
(NRCS)**

Dan Jessen, Iron County Auditor, explained that grant was for the Paragonah Emergency Watershed Protection (EWP) Project. The total grant was \$1,073,119. \$249,562 would be the Iron County "In-Kind," match and \$823,557 was Federal Funds awarded through US Department of Agriculture and the Natural Resources Conservation Service (NRCS). The Project title of the grant was Iron County-Brian Head Fire-Paragonah EWP. Michael Bleak made a motion to approve the NRCS Grant in the amount of \$1,073,119; the expected match from Iron County of \$249,562 to be raised in "In-Kind" funds. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**DISCUSSION & POSSIBLE APPROVAL FOR GIS SOFTWARE, PROPOSED
UNLIMITED USER LICENSE FOR ENVIRONMENTAL SYSTEMS RESEARCH
INSTITUTE (ESRI)**

Jared Wilson, Iron County IT Director, presented a proposal to move to an unlimited license with ESRI. The unlimited license would be for three years then be renewable yearly. Iron County was currently paying for five licenses at a \$14,000 yearly expense. Some of the benefits to unlimited user license would be having all of the program extensions, all the GIS pro-licenses as needed and free training on line. The Recorder's Office would need to move to the GIS software and if not purchased now the cost would be higher at \$9,000 per license. Jared reported that if Iron County joined in they would be grandfathered in at \$35,000 rather than pay the increase of \$50,000 later. He noted that there would be an increase in the budget but it would bring savings to Iron County. Paul Cozzens made a motion to approve to purchase the GIS Software from ESRI in the amount \$72,224. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Betsy Cummings, Iron County Human Resources (HR) Assistant Director, presented for approval the promotion John Williams and Justin Goodwin from Roads Maintenance Workers to Lead Roads Maintenance Workers, with the corresponding 5% pay increase, effective January 27th. Paul Cozzens made a motion to approve the promotions of John Williams and Justin Goodwin from Roads Maintenance Workers to Lead Roads Maintenance Workers, with the corresponding 5% pay increase, effective January 27th. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

REVIEW OF THE PROPOSAL AND POSSIBLE APPROVAL OF A CONTRACT TO CLEAN, SAND, PREP AND RE-COAT THE HARDWOOD FLOOR IN THE IRON COUNTY VISITOR CENTER

Lester Ross, Iron County Lead Building Maintenance/Inspector, reported that there was only one bid submitted. Shakespeare Flooring submitted a bid in the amount of \$5,993. Lester explained that the bid included sanding the hardwood floor, filling the cracks and holes and using a three part epoxy to seal the wood floor. Michael Bleak made a motion to approve bid of \$5,993 from Shakespeare Flooring to clean, sand, prep and re-coat the hardwood floor in the Iron County Visitor Center. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

COUNTY BOARDS

Michael Bleak made a motion to approve Terry Hartley to be a member of the CICWCD. Second by Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

COURTHOUSE

Jon Whittaker made a suggestion to replace the tile on the stairways/landings where the doors had been taken off in the Courthouse.

STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY. THIS PORTION OF THE MEETING MAY BE CLOSED IN ACCORDANCE WITH UCA § 52-4-205 (D)

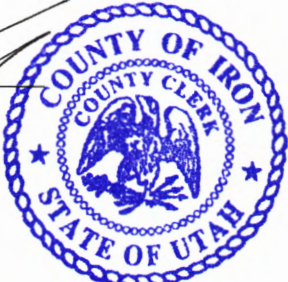
Paul Cozzens made a motion to enter into a closed session regarding strategy regarding the purchase, exchange, or lease of real property in accordance with UCA §52-4-205(c). Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, 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(c) for the purpose of discussing pending or reasonably imminent litigation.

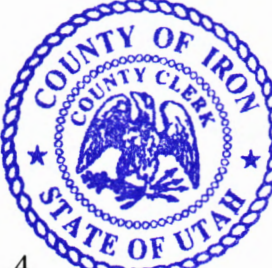
Jonathan T. Whittaker
Attest
ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.

Alma Adams
Signed: Alma Adams, Chairman 

Alma Adams
Signed: Alma Adams, Chairman

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



**IRON COUNTY COMMISSION MEETING
February 25, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 25, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Chad Dotson	County Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Paul Cozzens.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held February 11, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Jon Whittaker, Iron County Clerk, reported that the 2018 Clerk budget ended at 97% and the Election budget at 88%. Both budgets were on track for 2019. Chief Deputy Cindy

Robinson would retire on March 16th after 29 years of service. Jon reported that he had appointed Shaneal Bess as his new Chief Deputy Clerk. Interviews would be held on Thursday the 28th for a Full Time Deputy Clerk. There were 45 applicants for the job and they would be interviewing 7 applicants.

Adrion Walker, Iron County Human Resource (HR) Director, reported that the 2018 budget ended on track. There had been more time was spent on recruiting and hiring. The personnel changes during the last quarter were: a Full-time Victims Advocate in the Sheriff Department, Part-time Data Entry Clerk and Part-time Assistant Cook for Council on Aging (COA), Full-time Deputy Recorder in the Records Office, Full-time DMV Title and Registration Tech in the Assessor's Office, Full-time Landfill Tech for Landfill, Full-time Pet Control Deputy for the Sheriff Department, Full-time Deputy 1 Attorney in the Attorney's Office, 2 Full-time Corrections Deputies in Corrections and a Full-time Communications Specialist in Tourism. Adrion reported that some of the current positions being filled were: A Full-time Videographer/Graphic Designers in Tourism and a Part-time Bailiff in the Sheriff Department, and as Jon Whittaker mentioned they would be interviewing for a new Full-time Deputy Clerk for the Clerks Office. They were also advertising and recruiting for Full-time Correction Deputies and continued building on the Deputy Roster. The two current job openings were for a Part-time Medical Tech in Corrections and a Full-time Building Inspector/Zoning Officer. Adrion reported that the 2018 Employee turnover was at 12.28 percent compared to 10.73 percent in 2017. Even though there was a slight increase it was still in a healthy range. There was only one unemployment claim open. Open enrollment went well. Betsy Cummings in HR and the Auditor's Office worked well with the employees helping with the transition. Performance evaluations had been submitted by all departments and the data had been entered to the new coverage. He reported that he had been working with the Jared in the IT Department for an online application process. Written applications would still be an option. There were just a few adjustments to be made before it will go live. Adrion explained that he was continuing to work with Lori Eichelberger to facilitate the Public Defender reporting. He said that Lori was great to work with and was the best point of contact for him. Adrion reported that he had asked Lori to report the Public Defender part of his department report.

Lori Eichelberger, Iron County Justice Court Administrator, reported that the 2018 budget for the District Court was on track. Lori explained that in December the Supreme Court of Utah made a decision to maintain an Appeals Roster. Any person who wanted to be on that list was invited to apply. Dale Sessions and Matt Carling did apply but no one from this area was chosen. For the southern part of the state only one gentleman from St. George was chosen. It was rumored that he was charging \$15,000 minimum per case. For Iron County the result of that could be a dramatic increase in the budget. Lori reported that she had spoken with Joanna Landau, Director of the Indigent Defense Committee, who informed Lori that one attorney from a county up north was willing to do appellate work for the southern region at \$7000 per appeal case. The process for the appeals roster had been reopened and Dale Sessions reapplied and hopefully he would be added to the roster. She stated that it did not make sense to send funds from our county to pay someone else to cover the case when we had capable attorneys here. Alma Adams asked Lori if there were guidelines or regulation for fees. Lori reported that the low range began at \$4,000 up to a high range of \$12,000. Lori reported applying for an Indigent Defense Grant. She had applied for the grant and it was received by the Indigent Defense Commission. They would review the application and award it in April.

George Colson, Iron County Emergency Management Coordinator, reported that 2018 ended under budget. The 2019 budget was on track. George reported that two major expenses in the future would be to renew the Iron County Emergency app for mobile phones and the Everbridge renewal. He noted that the contractor and Information Technology (IT) were coming to an end with working on the Everbridge interface with mobile devices. MCAD was up and would cost more than estimated because of having to purchase more licenses. This would be a great asset to the Fire Department and law enforcement. Michael Bleak reported that there were not enough licenses and it would not affect the budget to purchase more. George Colson reported that he had been working with various water suppliers and the state geologist locating water

sources, pumping stations, reservoirs and fault lines throughout Iron County to create an overlay map. He was working with Homeland Security to identify and make a list of the critical infrastructure in Iron County. George reported that he was creating an equipment inventory for his department to get everything insured.

Danny Stewart, Cedar City/Iron County Economic Developer Director, reported that he had been working with Patrick Mullen and Stuart Clason of the Utah Association of Counties to define Opportunity Zones in Iron County. Danny reported that he continued to work with Patrick and Stuart to inventory projects that would be most likely to benefit Iron County. Some of the projects were under Industrial projects. Those were: GOEX; Loyal-out of Canada; Steel; Load Trail and Gehl. He explained that he had asked the Utah Inland Port Authority Board to extend some of the distribution infrastructure to Iron County. Iron County would be an ideal spot because of existing rail and the proximity for trucking. Danny reported that some of the Solar Projects in Iron County were: Cove Mountain 1 by Enterprise and the Fremont & Rush Lake projects, owned by Longroad Energy and approved in 2013-2014. He would be attending the International Council of Shopping Centers (ICSC) Retail Convention in Las Vegas May 19-22, with Economic Development Corporation of Utah (EDCU). JR Moore, Community-Based Research and Evaluation out of SLC, was assisting him to define the Iron County market and match up retailers to the area. Danny explained that he was working with several organizations to compile data to accurately define our regional market area. The data numbers needed to include surrounding counties with the market survey along with 2nd homes and cabins. He reported that the St. George Airport would be closing their runway during the summer of 2019, and the Cedar City Airport would be picking up morning flights in May. Danny concluded by listing other areas he was involved with: the Cedar City Historic Downtown Economic Committee, Cedar City Historic District, Utah Dept. of Heritage & Arts, NACo Creative Counties Placemaking, Conservation Leadership Network, Cedar City/Brian Head Tourism Bureau, Cedar City Events, Utah Summer Games, Utah Shakespeare Festival and Cedar Arts Council.

PUBLIC HEARING TO RECEIVE COMMENT ON A GRANT AND/OR LOAN FUNDING APPLICATION TO THE UTAH PERMANENT COMMUNITY IMPACT FUND BOARD (CIB) TO PERFORM A STRUCTURAL UPGRADE ON 10.3 MILES OF THE IRON SPRINGS ROAD

Alma Adams, Iron County Commission Chair, declared the public hearing for the Grant and/or loan funding application to the Utah Permanent CIB to perform a structural upgrade on 10.3 miles of the Iron Springs Road open.

Reed Erickson, Iron County Planner, explained that this was a grant application to the CIB for a total project cost of \$5,402,978. The Iron County contribution would be \$406,978. The purpose of the hearing was to show CIB that two important components were covered at the hearing: 1. What the application was for and 2. To consider a discussion in the event they do not provide the full grant amount if Iron County would consider portion, or the entire amount, in a low interest loan at 2 ½%. The project was a result of Alton Coal acquiring BLM property and lease for coal expansion of their current operation, and their interest to bring coal to Iron County and putting it on a rail load-off station off of Iron Springs Road. The road had been constructed as a chip-seal road, and was not structurally adequate to handle the estimated 360 coal trucks per day. The new load-off Station was estimated to cost \$10M to build that would be on the tax roll for Iron County as Industrial Development. The concern was the road would not handle the weight of the trucks, and they were asking 5” of asphalt be laid on the road to handle the trucks. The minutes from this meeting would need to be presented at the next CIB meeting on April 4. The decision would not be made until June in the funding meeting. Reed explained that the application was not by Iron County but by the Iron County Special Service District (SSD#3).

Chris Dahlin, a citizen of Iron County, asked if the fees and other charges would be made by Iron County to offset the costs of the upgrade. Reed explained that the Load-off Station was anticipated to create 20 jobs. The annual direct impact benefit would be \$1,159,000 and the indirect impact benefit would be roughly \$1.6M. He reported that they had not been able to evaluate revenue to Iron County because the numbers from the coal company was not available.

Steve Platt reported that he had approached the Utah Department of Transportation (UDOT) in making the road a State Highway. Steve said that they were considering it, but he was doubtful that it would happen because the Iron Springs Road does not loop with another road.

Alma Adams, Iron County Commission Chair, declared the public hearing closed.

KEVIN BUNNELL PRESENTED PAYMENT IN LIEU OF TAXES (PILT) PAYMENT FROM THE STATE OF UTAH

Kevin Bunnell presented a PILT payment to Iron County in the amount of \$2,505.35. Kevin expressed his appreciation for the partnership with Iron County. He explained that PILT was a payment made based on property value to collect taxes on state owned property. Kevin reported that there were proposals in the Watershed Restoration Initiative database now to continue the work that was being done. He noted that the funding for the next level of elevation between Cedar City and Highway 20 was not known, and they were ranking those in order of importance.

PUBLIC COMMENTS

Jay N. Webster, a citizen of Iron County, commented that he lived in Cedar City and owned property on the upper basin of Kanarra Mountain. The road had been maintained by the Iron County Road Department for many years. The road extended from the north end of the upper basin to Kolob Reservoir on the south. Last summer Kolob Land & Cattle Company brought property along the stream and put a lock on the gate which ended public access to the road. Mr. Webster was appealing to the commissioners to resolve the problem. Alma Adams reported that they were aware of the lock being put on the fences. The Iron County Road Department did cut the lock and notified the owners that it was off and they put one on again. Once the weather clears up the lock will be removed once more. Washington County was the owner of the other gate and would also remove the lock. Michael Bleak had made contact with Victor Iverson, a Washington County Commissioner, and they are on the same page regarding the gate locks.

Brad Green, a citizen of Iron County, stated that his issue was concerning Short-Term Rentals. The government was getting more involved in controlling human rights. Owners had the right to make money off their property. Mr. Green reported that the majority of homes using the short-term renting had to follow rules governed by Air BNB and were the higher class of homes. There were already laws in existence and if those were be enforced it would lessen the concerns of the citizens. He mentioned two concerns for having to obtain a business license. The first was: as soon as you create a business license it makes it easier to create requirements that have to be followed. Second: there was a state law passed last year that bars counties and cities to acquire a business license or a fee for home based businesses. There were groups that were in process of filing law suits against counties and cities that were violating the law. The Transient Room Tax already exists and should be enforce and collected. Let owners control their own property. You, as commissioners, are the guardians and please protect citizens from those who would break the peace by violating our rights and controlling our lives.

Chris Dahlin reported that he was an appraiser, and measures economic impact, and wanted to present a short but professional presentation on property rights. Chris reported that in law school they teach the concept of property and property rights that were called the "Bundle of Rights." The Bundle of Rights stated that the right of the property owner was: to be able to sell property, to be able to purchase property, to be able to use a property, and to be able to rent a property. Each of those rights was considered sticks within a property right. Mr. Dahlin stated that he wasn't aware of the Short-term Rental had been discussed by the Planning Commission. The concept of the short-term rentals reached an edge of hysteria in Cedar City. Do the short-term rentals impact in any kind material negative way that could be measured as an appraiser? No it was not measurable. Chris reported that the short-term rentals were under obligation of to meet standards through the online sights. Most citizens have only one asset and that was their homes. Just enforce the laws already in place and protect rights of home owners.

DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE 2019-3, DISPOSING OF REAL PROPERTY

Jon Whittaker explained that Ordinance 2019-3 helped define how to dispose of real property. First, the definition of a “Significant Parcel” was defined as have an assessed value by the Iron County Assessor of less than \$10,000 when the parcel was obtained by Iron County. Second, a Significant Parcel would have to be advertised for at least 14 days in a newspaper of general circulation before the commissioners could approve the sale. Jon discussed various aspects of disposing of real property, particularly those found in Chapter 2.36 of the Iron County code. A great deal of discussion ensued regarding “Insignificant Parcels,” and how to dispose of them. Jon Whittaker explained that the discussion was a starting point, and that he would continue to seek input to refine and complete the ordinance. Jon explained that he wanted the ordinance to cover parcels that were obtained in ways other than the May tax sale. Posting a master list of Insignificant Parcels on www.ironcounty.net would constitute a master list from which potential buyers could purchase insignificant parcels.

Jon there were parcels that would be deeded to the county, that group of parcels would not be advertised for. Properly transparent. Published on website be sufficient notice. First come/first served-closed bids, highest bid give would get property, or given five or so days to purchase the property. Paul-Iron County Facebook page. Michael Bleak made a motion to table the discussion. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker, Iron County Human Resource (HR) Director, presented new hire, Wyatt Ihler as a Videographer/graphic Designer for the Tourism Office, effective March 4th. This was an approved new position. Adrion presented new hire Jaren Ford as a Part-time Bailiff in the Sheriff Department, effective February 25th. This was a backfill of a vacant position.

Paul Cozzens made a motion to approve the new hires of Wyatt Ihler as a Videographer/Graphic Designer in the Tourism Office, effective March 4th and Jaren Ford as a Part-time Bailiff in the Sheriff Department, effective February 25th. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

No Non-Delegated Items were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk

IRON COUNTY COMMISSION MEETING

March 11, 2019

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 11, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Chad E. Dotson	County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

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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 G'Ne Bartholomew.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held February 25, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Maria Twitchell, Iron County Executive Director of the Cedar City/Brian Head Tourism Bureau, reported that Tourism budget for the Transient Room Tax (TRT) and Restaurant Tax was on track. TRT Revenues did not meet the anticipated budget so there would need to be a budget adjustment mid-year. January had a 5 percent increase with occupancies. A new Electronic sign would be installed at the Visitors Center at the end of March. The Iron County Fair would be using the old sign. Maria reported that two grants were awarded from the Utah Office of Tourism for the winter co-op with Brian Head of \$139,600 and \$48,000 for the summer campaign. With the match and partners match, the campaigns would have a value of \$407,600. The new website was awarded in November and was moving forward. She reported that the Southern Utah Tourism Summit would be held in Cedar City in the Hunter Conference Center on March 28-29. Maria presented the commissioners with the recommendations from the Tourism Board for the 2019 events. Due to not meeting the anticipated revenue, the awards were reduced by 25 percent across the board. She reported that Kayley Pickering was hired as the Communication Specialist, and Wyatt Ihler was hired as the Graphic Design/Videographer. Maria reported that the Outdoor Recreation budget was on track. The CXT Vault toilet for the restroom at Woods Ranch small pavilion would be delivered in June. Cedar City would be hosting the High School Mountain Bike Southern Utah Race at Three Peaks in September. She reported that they passed the Woods Ranch Water Quality survey with no points assessed.

Kenneth Carpenter, Iron County Sheriff, excused.

Joanna Cuthers, Iron County Corrections Commander, reported that the 2018 budget was on track. She was concerned with the budget for an unexpected expense with the RN Contract. The final approval was for \$35 per hour working 6 to 10 hours per week and was not included in the budget. Dan Jessen reported that it would not come out of Salaries and Wages and would have to be in Medical. There would be a budget adjustment. Joanna reported that the current Inmate total was 151. The gym remodel was nearly complete. It would add another 40 beds max. The new jail Feasibility Study was being conducted by the SUU Masters of Public Administration.

Michael Bleak, Iron County Commissioner, reported that he attended the National Association of Counties (NACo) Convention held in Washington DC. Mike reported that he served on the Justice & Public Safety Steering Committee. He co-sponsored an issue last year regarding the Fire Department life expectancy of their equipment. The request was to move the responsibility of determining life expectancy from the manufacturer to an independent company or the Centers for Disease Control (CDC). The lobby to Congress was successful and the responsibility to determine the life expediency of personal protective equipment for the Fire Departments would now be handled by the CDC. Mike explained that the Fire Departments in Iron County included Cedar City, Brian Head, Kanarraville, Parowan and Paragonah. Kanarraville and Paragonah Fire Departments could not afford to buy new equipment and received the gently worn or unopened equipment from the Cedar City Fire Department. The new policy would now make the manufacturers responsible for the hand-me-downs. He reported that another committee he was on was the "Place Making" program that was partners with the Endowment for the Arts. It was for rural towns to rejuvenate the downtown area. By attending the meeting and being active in the process it kept Iron County eligible for grant funding. Mike reported that he and Alma Adams were able to meet with Senator Romney about what was best for Iron County.

Paul Cozzens, Iron County Commissioner, reported that Iron County has been blessed with a lot of water. There was a 209 percent snowpack at Webster's Flat. In 2017, as a member of the Cedar City Council he was able to work on plans for ground water management. He explained the recharge efforts being made downstream from the Woodbury split on Coal Creek.

Cedar City applied with the State Engineer for 3,800 acre feet of recharge credit out of Quichapa Creek. Cedar City and Iron County traded property, which provided a pit into which the Quichapa Creek water could be diverted. Iron County has been able to harvest gravel from the property to help with construction and management of nearby roads.

Alma Adams, Iron County Commissioner, reported that he attended a presentation by Brian Steed, head of the Bureau of Land Management (BLM) at the NACo Convention. Brian Steed was working with the issue of the wild horses. Wild Horse adoptions were dangerously low and the BLM would pay \$1,000 to anyone that would adopt a wild horse. He explained that the cost for feeding the wild horses in the feed lots was \$1,200 per horse per year. The BLM was working with the Department of Interior to reduce the time to process document requests and the size of documents. BLM was working to get authorities to streamline the timber process.

Jon Whittaker, Iron County Clerk, reported that he had received three letters contesting the locks on the Upper Basin road.

PUBLIC HEARING TO RECEIVE COMMENT AND DISCUSS PROJECT DETAILS REGARDING THE PROPOSED ASSESSMENT AREA IN THE SUNSET SUBDIVISION

Alma Adams, Iron County Commission Chair, declared the public hearing for details regarding a proposed assessment area in the Sunset Subdivision open.

Reed Erickson, Iron County Planner, explained that a number of home owners presented Iron County with an application to consider an assessment area to improve the roads to a chip seal standard. The home owners would like the roads brought up to the Iron County standard, which they were proposed to pay for. Iron County would then accept the roads as county roads and begin to maintain them. The proposal was to chip seal approximately 5.2 miles of road. The assessment would be spread over a 20 year period. Reed reported that the first step for Iron County would be to consider the application from the Home Owners Association (HOA). If 40 percent of the owners in the Sunset Subdivision oppose the assessment area it must be denied. Twenty-four property owners would be needed from the subdivision to accept the assessment. Reed reported that the estimate for the assessment would be \$19,900.95/per lot for 20 years with a 5-6% rate. Steve Platt explained that the HOA had taken the initiative to acquire the roads from a private owner to the HOA ownership. To enter into an assessment the HOA needed a 75 percent approval.

Gary Maloney, resident of Sunset Subdivision, stated that there was no question that the roads were bad. He stated that putting gravel on the roads would be adequate and would make more sense.

Nancy Brant, resident of Sunset Subdivision, asked if the assessment were accepted would the value of property increase adding a tax increase on top of the assessment payment. Cindy Bulloch, Iron County Assessor, said that it would depend what the lots sold for after the assessment. If the lots sold higher property taxes would increase.

Conrad Staley, resident of Sunset Subdivision, asked if Iron County did a gravel road would they accept that. Alma Adams said the county would accept a gravel road.

Robert Herber, resident of Sunset Subdivision, asked what would happen to those who could not afford the costs. Alma Adams replied if a majority voted to go with the assessment area a property owner voting against the Assessment Area could be forced to pay their share.

Alma Adams, Iron County Commission Chair, declared the public hearing closed. The process would continue as presented by Reed Erickson.

PUBLIC COMMENTS

Not public comments were offered.

**PRESENTATION TO INTRODUCE VOICES OF IRON COUNTY EDUCATION
(VOICE) A POLITICAL ACTION COMMITTEE**

Sheryl Stratton, VOICE member, reported that the VOICE Committee was formed to address important issues regarding the Iron County School District Board (ICSD). Sheryl noted that the issue of the Cedar High “Redmen” name Change would cost approximately \$662,000. She expressed that the ICSD Board used absolute power and corruption regarding the name change. VOICE demanded a full and independent audit of all school district finances going back six years.

Andrea Nelson, VOICE member, explained that the issue, in addition of the name change, was how the ICSD Board manipulated the process of the name change. There had not been any reports of bullying or law suits before the decision to change the Redman name. ICSD Andrea expressed that board members Dale Brinkerhoff and Maryann Kemp were the only ones who had done their homework before the vote. She noted that the only academic evidence cited for the reason to change the name was proven false by the Native American Guardians Association. Andrea reported that the Cedar High coaches were told before the school year started not to use the Redmen logo. The Redmen logo had also been removed from the Cedar High stationary. These actions happened before the issue was brought up at the school board meeting. Andrea reported that the Name Change Committee formed was not a fact finding committee but was “rigged.” There was a binder presented to the committee that only contained reasons for changing the name. She concluded by saying the best approach was to educate not eradicate.

Tony Cocellia, President of VOICE, stated that the decision to change the Redmen name should reflect the popular vote of the community. Tony reported that another concern that was listed for a reason to change the name was safety of the students, but no examples were presented. No police reports or school documentation of safety concerns regarding bullying was made. The bullying had begun one day after the vote was taken to remove the name. The committee that was formed to do an investigation did not include a Native American.

Jeff Corry, VOICE member, reported that he taught school for 30 years in Iron County. VOICE was not only for the Redmen name issue. Another concern was regarding instruction time in the classroom. “Late-start Wednesday” began so the students that were struggling could come early for help. Instruction time was being lost. Jeff noted that since the Late-Start Wednesdays, that the worst attendance day was Wednesday. Jeff reported that Cedar High was mandated to have “intervention time.” Students could leave a class for 40 minutes to go to the teacher who “tagged” them. Between late start and intervention time there was 154 hours of instruction lost in one year for each student.

ORDINANCE 2019-3 REGARDING THE DISPOSITION OF REAL PROPERTY

Jon Whittaker explained that Ordinance 2019-3 would define a significant parcel of land for the purposes of disposing of real property. Additionally, defining what reasonable notice was required for Iron County to dispose of a real property. Jon explained that the proposed definition of a “Significant” parcel of Real Property was a parcel whose assessed value by the Iron County Assessor at the time Iron County acquired the parcel was \$10,000 or greater. The Ordinance would require 14 days of notice and opportunity to comment before a “Significant” real parcel could be disposed of. He explained that the proposed Ordinance would modify Iron County Code 2.36.010. Dan Jessen suggested that the specific websites for Iron County and the State of Utah be named. Carri Jeffries suggested that language that the Iron County Clerk record deeds be removed.

Paul Cozzens made a motion to approve Ordinance 2019-3 as presented by Jonathan Whittaker, with said changes. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY ORDINANCE 2019-3

AN ORDINANCE DEFINING WHAT CONSTITUTES A SIGNIFICANT PARCEL OF LAND FOR THE PURPOSES OF DISPOSING OF REAL PROPERTY. ALSO, DEFINING WHAT REASONABLE NOTICE IS REQUIRED FOR IRON COUNTY TO DISPOSE OF A SIGNIFICANT PARCEL OF LAND. UPDATES IRON COUNTY CODE § 2.36.010.

Whereas, Utah Code, Annotated § 17-50-312(5)(b) directs that “Each county shall, by ordinance, define what constitutes a significant parcel of real property; and reasonable notice for purposes of disposing of significant parcels;” and

Whereas, Iron County acquires real property from time to time that is not used to further the mission of Iron County; and

Whereas, Iron County desires to be able to lawfully and fairly dispose of said unused parcels of real property;

NOW, THEREFORE, BE IT ORDAINED BY THE IRON COUNTY COMMISSION AS FOLLOWS:

SIGNIFICANT PARCEL

Iron County defines a significant parcel as required by Utah Code, Annotated § 17-50-312(5)(b) to be a parcel of real property whose assessed value by the Iron County Assessor at the time Iron County acquired said parcel to be \$10,000 or greater.

REASONABLE NOTICE

Before disposing of a significant parcel, Iron County shall publish in a newspaper of general circulation, the Utah Public Notice Website, and the Iron County Courthouse, notice of an opportunity for public comment for at least 14 days.

IRON COUNTY CODE, SECTION 2.36.010


Iron County Code, Section 2.36.010 shall be updated to include sections M, N and O as follows:

- M. Significant Parcels,” of Real property are defined as parcels whose assessed value by the Iron County Assessor at the time Iron County acquired said parcels is greater than \$10,000. Parcels that do not meet said definition may be placed, at the discretion of the board of county commissioners on a “Surplus List of Insignificant Real Property.” Said list shall be approved by the board of county commissioners at least once per year and shall be publicly available via the website. All pertinent information regarding each “Insignificant Parcel” shall be included on said list, including the minimum acceptable bid. The Iron County Clerk’s office shall maintain said list, and any offers to purchase an insignificant parcel shall be made in writing to the Iron County Clerk. A one week waiting period shall be observed once an offer is made on an insignificant parcel. If no other offers are made, the Iron County Clerk’s office shall prepare a deed once payment is received. In the event that multiple parties express interest in the same insignificant parcel, sealed, written bids shall be accepted for one week and the parcel shall be sold to the highest bidder. Minimum acceptable bids for each Insignificant Parcel shall be set by the board of county commissioners each year and shall be based on taxes, fees, penalties, and interest if acquired by tax sale. Insignificant parcels that are acquired by means other than tax sale shall be assigned a minimum bid of the assessed value by the Iron County Assessor at the time Iron County at the time Iron County acquired said parcel. After two years on the list, all Insignificant Parcels shall have a minimum bid of \$350.

- N. Notwithstanding the process outlined regarding the "Surplus List of Insignificant Real Property," the board of county commissioners may: withhold parcels from said list, cause that a more stringent process be applied to dispose of any Insignificant Parcel, or modify the minimum bid of any Insignificant Parcel on the list.
- O. Notwithstanding any public notice requirements as set forth in this section, at a minimum, Iron County shall publish in a newspaper of general circulation, the Utah Public Notice website, and post at the Iron County Courthouse, notice of an opportunity for public comment for at least 14 days before disposing of any Significant Parcel of real property.

DATED this 11th day of March 2019.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 

Alma L. Adams - Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



Alma L. Adams	<u>Aye</u>
Michael P. Bleak	<u>Aye</u>
Paul Cozzens	<u>Aye</u>

DISCUSSION AND POSSIBLE SELECTION OF A FINANCIAL ADVISOR FOR IRON COUNTY

Dan Jessen, Iron County Auditor, explained that in 2017, George K. Baum was retained by Iron County as the Municipal Financial Advisor. The Securities and Exchange Commission now requires the separation of the Municipal Advisor and Bond Council. Dan reported that the contract with George K. Balm expired February 1st. Dan explained that Zion Bank had a standing 2008 Financial Advisor Contract with Iron County with no expiration date listed. He explained that in order to terminate the contract, a 30 day notice would need to be presented to Zion Bank. Zion Bank had requested to extend the contract or be allowed to bid on a new contract. There were three ways the selection of a Municipal Advisor could be conducted: 1. If George K Balm was selected a notice would need to be sent to Zion Bank thus providing the required 30 day notice; 2. If Iron County continued with Zion Bank, a new contract would need to be written; 3. Put it out for bid. Dan explained that the purpose of a Municipal Advisor was "to provide certain Municipal Advisory services to the Issuer including but not limited to the preparation of supporting data, bond market information, assistance in obtaining bond ratings, and assistance in investor negotiations regarding various Issuer projects which may result, in time to time, in the issuance of bonds, notes, refunding bonds, and or the use of other financial instruments." The services would only be utilized if Iron County issued a bond. Dan recommended that a Request for Quotation (RFQ) be implemented. Alma Adams agreed that a RFQ would be the best way to handle the issue. Dan said that the 30 day notice to terminate the Zion Bank contract would need to be conducted first.

Michael Bleak made a motion to send the 30 day notice to Zion Bank to terminate the contract. After the 30 days the selection process would be opened to bid. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

CONVENE AS THE BOARD OF EQUALIZATION (BOE)

Alma Adams, Iron County Commission Chair, declared the adjournment as the Iron County Commission and the convening of the BOE.

REVIEW AND POSSIBLE APPROVAL FOR APPLICATIONS FROM RELIGIOUS, EDUCATION AND CHARITABLE ORGANIZATIONS FOR REAL AND PERSONAL TAX EXEMPT STATUS FOR FISCAL YEAR 2019

Christene Lowder presented the commission with a list of those requesting tax exempt status. Those listed were: The Archaeological Conservancy, Cedar City Housing Authority, Cedar Valley LDS Ward, Diamond Z English Shire Foundation, Henry's Place, International Church of the Four Square, Utah Housing Corporation, Christ Church, INC, and Vehicles sold by various entities.

Michael Bleak made a motion to approve all applications from charitable organizations as presented by Christene Lowder. Those denied or partial approval were: Henry's Place only 12 acres approved from February 1 to December 31, 2019, Christ Church Inc. denied until further evidence of usage was provided, International Church of the Four Square approval for 1 acre, and the LDS Church for Temple Cove denied until further information was provided. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the adjournment of the BOE and the reconvening as the Iron County Commission.

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

Alma Adams, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the ICCD&RA.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENTS FOR ENTERPRISE SOLAR, GRANITE MOUNTAIN EAST SOLAR, GRANITE MOUNTAIN WEST SOLAR AND IRON SPRINGS SOLAR PROJECTS

Danny Stewart explained that the deadline was approaching for the solar projects to request tax increment payments. Danny reported that all requirements had been met for the tax increment payments. All were in compliance with the conditional use permit. Paul Cozzens made a motion to approve the tax increment payments for Enterprise Solar for \$839,785.53, Granite Mountain East Solar for \$878,421.54, Granite Mountain West Solar for \$566,604.38 and Iron Springs Solar for \$855,916.34 for a total of \$3,140,727.79. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the adjournment of the ICCD&RA and the reconvening of the Iron County Commission.

PERSONNEL

Adrion Walker presented new hire of Merilee Wilson as a Full-Time Deputy Clerk in the Clerk's Office, effective March 24th for approval. This would be a backfill of a vacant position. Adrion Walker also presented the promotion of Shaneal Bess from Full-Time Deputy Clerk to Chief Deputy Clerk in the Clerk's Office, effective March 24th for approval. This would be a backfill of a vacant position. Michael Bleak made a motion to approve the personnel changes as presented by Adrion Walker. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

COUNTY BOARDS

Central Iron County Water Conservancy District

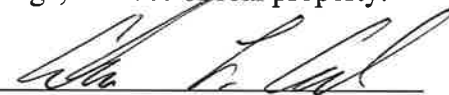
Paul Cozzens reported that the contracts were up for Brent Hunter and Spencer Jones. Paul Cozzens made a motion to reappoint Brent Hunter for another term, but to reevaluate the appointment in two years, and to reappoint Spencer Jones to another four year term. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY. NOTE: THIS PORTION OF THE MEETING MAY BE CLOSED IN ACCORDANCE WITH UCA § 52-4-205(d)

Paul Cozzens, Iron County Commission Chair, made a motion to enter into a closed session regarding strategy regarding the purchase, exchange, or lease of real property in accordance with UCA §52-4-205(d). Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

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


I, Alma Adams, 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 purchase, exchange, or lease of real property.



Signed: Alma Adams, Chairman

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

March 25, 2019

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 25, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner - Excused
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Dan Jessen	County Auditor
Nicole Rosenberg	County Treasurer
Stephen R. Platt	County Surveyor
Chad Nay	County Zoning Administrator
Bruce Anderson	Landfill Supervisor
Preston Nelson	Road Superintendent

SYNOPSIS

ADJOURNMENT. 11

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APPROVAL OF “SURPLUS LIST OF INSIGNIFICANT REAL PROPERTY” 10

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IRON COUNTY PERSONNEL POLICY, SECTION 34 CHANGES..... 10

NON-DELEGATED ITEMS..... 11

ORDINANCE 2019-1 REGARDING SHORT-TERM RENTALS 3

PERSONNEL 11

PLEDGE OF ALLEGIANCE..... 1

PROPERTY TAX EXEMPT STATUS..... 10

PUBLIC COMMENTS 2

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Bruce Anderson.

INVOCATION

An invocation was offered by Preston Nelson.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held March 11th, 2019. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

DEPARTMENTAL REPORTS

Chad Nay, Iron County Building & Zoning Administrator, reported that the online program called “My City” was an online option to submit building permit applications and plans and to apply for building permits. “My City” was being updated with some forms and processes being eliminated. After March 31st the only way Iron County Building Inspections was allowed to accept building permit applications, information and plans would be online via “My City.” Chad reported that the Planning Commission and the Planning and Zoning staff have worked hard on issues such as Short-term Rentals, Urban farming/agriculture and the northern end of the belt route. There was so much happening in building construction that there was neither time nor personnel left for zoning enforcement. He reported that Building Maintenance was trying to get bids to fix the landscaping at the Visitors Center. There was some warranty work at the Courthouse in progress and the roof issues at the Public Safety Building had been fixed. Chad reported that the budget was on track. Overall his department was short staffed. As a result the building maintenance and zoning enforcement really suffers.

Steve Platt, Iron County Engineer, reported that the budget was on track. Steve reported that the Prison crew completed the fencing on 7700 West Lake Road. He reported that Tyler Farling, RS-2477 Roads reports, was working from his home and was no longer requesting an office. Some of the other projects being worked on or planned were: Sunset Subdivision Assessment Area; Alton Coal Mine; Emergency Watershed Protection (EWP) in Paragonah; Parowan Watershed Protection and Flood Prevention Operations; Forest Service efforts on two bridges off Hwy 143 by Yankee Meadow and Second Left Hand; Upper Basin road to Kolob Reservoir locks on gates; Cedar Valley Belt Route alignment recommendation; Shoal Creek; Holt Canyon; 5900 North possible Assessment Area; Willow Bend Subdivision; and Quichapa channel to recharge aquifer.

Preston Nelson, Iron County Road Supervisor, reported that current projects were: working on Vandenburg Road; placed gravel on 1000’s and 1400’s, placed gravel on 7700 W; snow plows working on roads; beginning to patch pot holes; 50,000 yards of gravel crushed at the Vandenburg pit; and grading roads when weather has permitted. Projects ahead: start patching around May 15th; placing chip on roads; cleaning roads to begin chipping; and Iron Wolf Kanarra Mountain road from Corrals to Red Ledges.

Bruce Anderson, Iron County Landfill Supervisor, reported that the budget was on track. Bruce reported that reporting to the state would be quarterly instead of annually. As a result of the change in reporting the total fees paid would increase over \$10,000 a year. He would be attending a training session in Salt Lake City regarding used tires and used oil along with the new reporting requirements. They were looking forward to the end of the muddy season. Bruce noted that he was concerned that he had not heard of a waste management plan for the solar farms.

Alma Adams, Iron County Commissioner, excused Commissioner Paul Cozzens as he was in Washington D.C. attending a Mental Health conference.

PUBLIC COMMENTS

No public comments were offered.

ORDINANCE 2019-1 REGARDING SHORT TERM RENTALS (STR)

Reed Erickson explained that several changes to the ordinance had been implemented according to the request of the commissioners. Reed explained that the modifications to Ordinance 2019-1 included allowing STR in all residential zones, removing a differentiation between incidental and business use, modifying the Table of Uses to allow Bed and Breakfast establishments in the same zones. He noted that there would still be requirements to get a Business License and register for Transient Room Tax. Mike Bleak expressed appreciation for the help during the lengthy process. Mike Bleak made a motion to approve Ordinance 2019-1 Regarding Short Term Rentals. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

IRON ORDINANCE 2019-1

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING A NEW SECTION 17.36.290 – SHORT-TERM RENTALS; AMENDING SECTION 3.12.050 – TAX IMPOSED B AMOUNT, SECTION 17.17.030 – TABLE OF USES, AND SECTION 17.20.010 – DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Iron County has determined in accordance with Utah Code and the Iron County Land Management Code, that certain provisions be established that define and regulate “Short-Term Rentals” with greater clarity and understanding; and

Whereas, the proposed ordinance is designed to implement the objectives of the County to promote options for property use while reasonably regulating the same to minimize adverse impacts to surrounding properties and to serve the purposes of the Iron County Zoning Ordinance; and

Whereas, the County Commission finds that it is in the best interest of the County after taking into consideration the citizens’ health, safety and welfare, to add the following ordinance; and

Whereas, the Planning Commission of Iron County has held a duly advertised and noticed public hearing on the proposed amendments to the Zoning Ordinance of Iron County, Utah, and has carefully and thoroughly reviewed and considered the comments received, and has voted to forward the proposed ordinance to the Iron County Commission with a recommendation for approval; and,

Whereas, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed ordinance and after considering the public comments and the language of the proposed ordinance, the County Commission concludes that the proposed ordinance appropriately considers and balances all interests in accordance with the purposes and goals of the County Land Use Development and Management Act; the Iron County General Plan; and the Iron County Zoning Ordinance.

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

SECTION 1. Within **Section 3.12.050 - Tax imposed B amount**, of the Iron County Code, A. shall be, and hereby is, identified and amended and reads as follows (*all other existing content to remain un-amended*):

- A. There is levied on all persons, companies, corporations, or other like and similar persons, groups, or organizations doing business in the county as motor courts, motels, inns, bed and breakfasts, or like and similar public accommodations, including “short-term rentals” as defined in Section 17.36.290, a transient room tax at the rate of four and one-quarter percent of the rent for every occupancy of a suite, room or rooms by a transient.

SECTION 2. Section 1 7.36.290 – Short-Term Rentals, of the Iron County Code, shall be, and hereby is, identified and added to read as follows:

Section 17.36.290 Short-Term Rentals

- (A) Title
- (B) Purpose
- (C) Definitions
- (D) Authorized agent or representative
- (E) Short-term rental permit - required
- (F) Application - submittal requirements
- (G) Operational requirements and standard conditions – All short-term rentals
- (H) Violations
- (I) Appeals

(A) Title

This section shall be referred to as the "Short-term Rentals Ordinance."

(B) Purpose

The purpose of this chapter is to establish regulations for the use of privately owned residential dwellings as short-term rentals that ensure basic health and safety to renters and neighbors, assist in the collection and payment of Transient Room Taxes (TRT) and appropriate Sales and Use Taxes, and minimize the negative secondary effects of such use on surrounding residential neighborhoods and/or governmental services.

This chapter is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.

(C) Definitions

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:

"Applicable laws, rules and regulations" means any laws, rules, regulations and codes (whether local, state or federal) pertaining to the use and occupancy of a privately owned dwelling unit as a short-term rental.

"Applicant" means the owner of the short-term rental unit or the owner's authorized agent or representative.

"Zoning Administrator" means that person acting in the capacity of the Zoning Administrator of Iron County or designee.

"Local contact person" means the person designated by the owner or the owner's authorized agent or representative, for the purpose of: (1) responding to complaints regarding the condition, operation, or conduct of occupants of the short-term rental; and (2) taking remedial action to resolve any such complaints.

"Owner" means the person(s) or entity(ies) that hold(s) legal and/or equitable title to the subject short-term rental.

"Operator" means the Owner or the designated agent or representative of the Owner who is

responsible for compliance with this chapter with respect to the short-term rental.

"Property" means a residential legal lot of record on which a short term rental is located.

"Rental term" means a separate defined period of time during which the dwelling is rented to a particular occupant, similar to a hotel reservation.

"Short-term rental" means a privately owned residential dwelling, such as, but not limited to, a single-family dwelling or multiple family dwelling, apartment house, guest house, duplex, rented for occupancy for dwelling, lodging, or sleeping purposes for any period less than thirty (30) consecutive days, when the owner is not present.

"Short-term Rental Business License" means a county issued business license that allows the use of a privately owned residential dwelling as a short-term rental unit pursuant to the provisions of this section and any other potential licensing required in Iron County or Utah State Code.

"Transient" for purposes of this section means any person who seeks to rent or who does rent a privately owned residential unit for a period less than thirty (30) consecutive days.

(D) Authorized agent or representative

1. An owner may designate an agent or a representative to comply with the requirements of this chapter on behalf of the owner. The owner or designated agent or representative is referred to as "Operator" in this section.
2. Notwithstanding subsection 1, the owner shall not be relieved from any responsibility or liability for noncompliance with any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term rental, regardless of whether such noncompliance was committed by the owner's authorized agent or representative or the occupants of the owner's short-term rental or their guests.

(E) Short-term Rental Business License - Required

The Operator is required to obtain a short-term rental business license from the County, pursuant to the provisions of this Section and Chapter 5.04 respectively, before renting any privately owned residential dwelling to any transient for a period less than a monthly basis. A short-term rental business license shall be required to be renewed on an annual basis according to Section 5.04.060 in order to remain valid.

(F) Application – Submittal Requirements

1. The operator must submit the following information for a short-term rental business license:
 - a. Completed application for a short-term rental business license, signed by the owner or his/her designee, which shall be available for public viewing.
 - b. Proof of ownership of the short-term rental property.
 - c. The name, address, and telephone number of the owner of the subject short-term rental;
 - d. The name, address, and telephone number of the operator;
 - e. The address of the proposed short-term rental;
 - f. The number of bedrooms of the proposed short-term rental;

- g. An acknowledgment that the short-term rental property owner and agent of the owner, if any, have read all regulations, including, but not limited to, the standards set forth in this section, pertaining to the operation of a short-term rental.
 - h. The short-term rental property owner, and operator if any, shall sign and certify the accuracy of the information submitted and agree to comply with all regulations.
 - i. Copies of currently valid County and State sales, use and lodging tax licenses in the name of the short-term rental property owner or operator, including the Utah Tax ID number obtained thru licensing/registration with the State of Utah Tax Commission for the collection and payment of applicable county transient room tax and all state and local sales and use tax.
2. The short-term rental business license application shall be accompanied by an application fee established in Section 5.04.070 - License—Fee—Determination. .
 3. The County Clerk shall issue a County Business License, as provided in Chapter 5.04, which will incorporate the Short-Term Rental Business License, if the applicant also satisfies the requirements of this Section (17.36.290) and Section 3.08.060.
 4. A short-term rental business license application may be denied if the applicant has had a prior short-term rental business license for the same unit revoked within the past six (6) calendar months.
 5. Within thirty (30) days of a change to a different person or entity than that for whom an existing short-term rental business license has been issued, or any other change in material facts pertaining to the information contained in the short-term rental business license, the new owner or operator shall submit an application and requisite application fee for a new short-term rental business license, which must be obtained prior to continuing to rent the subject unit as a short-term rental.

(G) Short-term Rentals, Standard Requirements.

1. Short-term rentals are subject to the following requirements:
 - a. Short-term rental is a permitted use in all zones that permit a residence or residential facility per Section 17.16.030.
 - b. In order to satisfy basic public health and safety standards, each incidental short-term rental must contain:
 - i. One operable fire extinguisher; and
 - ii. One operable smoke detector in each bedroom, in the major living areas, and on each floor (the major living area can count for the detector on that floor).
 - iii. An operable carbon monoxide detector on each floor installed per the manufacture’s specifications, when gas appliances are utilized in the structure;
 - iv. A posted map showing property boundaries, parking spaces, emergency exits and local emergency contact numbers; and
 - v. Parking associated with a short-term rental shall be provided on the subject property. Street parking immediately in the front of the short-term rental property may be considered ‘on the subject property’.

(H) Operational requirements and standard conditions – All short-term rentals

1. **General Practice:** The operator shall use reasonably prudent business practices to ensure that the short-term rental is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental unit, including Chapter 5.04 – Business Regulations Generally, and Chapter 3.12 – Transient

Room Tax.

2. **Noises and Nuisances:** Occupants of the short-term rental shall comply with the standards and regulations of the Iron County Code, Chapter 8.20 – Nuisances, and Section 8.20.060 Noises. No radio receiver, musical instrument, phonograph, compact disk player, loudspeaker, karaoke machine, sound amplifier, or any machine, device or equipment that produces or reproduces any sound shall be used outside or be audible from the outside of any short-term rental between the hours of 10 p.m. and 10 a.m.
3. **Renter Notification:** The operator shall provide the occupant(s) of the short-term rental with the following information prior to occupancy of the rental and/or shall post such information in a prominent location within the rental unit:
 - a. Operator name and local emergency contact information;
 - b. Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property; and
 - c. Notification that the occupant and/or owner may be cited or fined by the County if in violation with this section and/or Section 8.20.060 Noises.
4. **Operator Availability.** While a short-term rental unit is rented, the operator shall be reasonably available, in person or electronically, for the purpose of responding to complaints regarding the condition, operation, or conduct of occupants of the short-term rental, or their guests.
5. **Operator Responsibility for Guest's Conduct.** The operator and/or the designated local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term rental do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term rental.
6. **Operator response to complaint.** The operator and/or the designated local contact person shall upon notification that any occupant and/or guest of the short-term rental has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term unit, promptly respond to immediately halt or prevent a recurrence of such conduct by the occupant(s) and/or guest(s). Failure of the owner, and/or operator to respond to calls or complaints in a reasonable time regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental, the owner and/or operator may be subject to all administrative, legal and equitable remedies available to the county.
7. **Trash and Refuse.** Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the County's authorized waste hauler on scheduled trash collection days. The operator shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 8.08 – Garbage Collection and Disposal, of the County Code.
8. **License posted.** The operator shall post a copy of the short-term rental business license in a conspicuous place within the short-term rental.
9. **Modification of Standards.** The standard conditions set forth herein may be modified by the Zoning Administrator, or designee, upon request of the operator based on site-specific circumstances for the purpose of allowing reasonable accommodation of a short-term rental. All requests must be in writing and shall identify how the strict application of the standard conditions creates an unreasonable hardship to a property such that, if the requirement is not modified, reasonable use of the property for a short-term rental would not be allowed. Any hardships identified must relate to physical constraints to the subject

site and shall not be self-induced. Any modifications of the standard conditions shall not further exacerbate an already existing problem.

(I) Violations/Enforcement

1. **Permit Modification, Suspension and Revocation.** Three written violations of any provision of this chapter by any of the occupants, owner(s) and/or the operator may constitute grounds for modification, suspension and/or revocation of the short-term rental business license and/or any affiliated licenses or permits pursuant to the provisions set forth in Section 5.04.150 – Violation-Penalty, of the County Code.
 - a. Whenever any operator fails to comply with any provision of this section, the Zoning Administrator or designee, and the County Clerk, or designee, working together, after giving the operator and/or owner thirty (30) day notice in writing and providing for the opportunity to show cause as to why the short-term rental owner or operator should not be issued a written violation, may then issue said written violation.
 - b. The Zoning Administrator, or designee, shall give to the operator and/or owner written notice of the violation. The notices required in this section may be served by certified mail.
2. **Notice of Violation.** The County may issue a written violation to any occupant, owner(s) or operator, pursuant to Chapters 8.20 – Nuisance, Chapter 5.04 Business Regulations Generally, and/or Chapter 3.12 – Transient Room Tax, of the County Code, if there is any violation of these chapters committed, caused or maintained by the any of the above parties. Said written violation shall be served by certified mail.
3. **Public Nuisance.** It shall be a public nuisance for any person to commit, cause or maintain a violation of this section, which shall be subject to the provisions of Chapter 8.20 - Nuisances.

(J) Appeals

1. Any person or entity aggrieved by a decision in the enforcement and/or administration of this Section shall have the right to appeal such decision to the County Commission if a written request for an appeal is filed with the zoning administrator within thirty (30) days of verification that the aggrieved person or entity has been made aware of the decision.

SECTION 3. Within **Section 17.16.030 – Table of Uses**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

Uses	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA
Bank	X	X	X	X	X	X	X	P	P	P	X
Bed and breakfast	P	P	P	P	P	P	P	P	X	X	X
Boarding house	P	P	P	P	P	A	A	P	X	X	X
Building material or garden store	C	X	X	X	X	X	X	C	P	P	X
Saw mill	C	X	X	X	X	X	X	X	X	C	C
Seasonal Subdivision ⁽⁷⁾	X	X	P	X	X	X	X	X	X	X	X
Short-Term Rental	P	P	P	P	P	P	P	P	X	X	X
Solar power plant	C ⁽⁶⁾	X	X	X	X	X	X	X	X	C ⁽⁶⁾	C ⁽⁶⁾
Subsurface mining	C	X	X	X	X	X	X	X	X	C	C

SECTION 4. Within **Section 17.20.010 – Definitions**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

"Sheltered workshop" means an on-site supervised educational or vocational training facility for persons with a disability that does not provide any residential facilities.

"Short-term rental" means a privately owned residential dwelling, such as, but not limited to, a single-family dwelling or multiple family dwelling, apartment house, guest house, duplex, rented for occupancy for dwelling, lodging, or sleeping purposes for any period less than thirty (30) consecutive days, when the owner is not present.

"Solar power plant" means a utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal (CST) devices, or various experimental solar technologies, with the primary purpose of wholesale or retail sales of generated electricity.

SECTION 5. General Provision.

Sections of the Iron County Code identified in this ordinance shall be, and hereby are, amended with the express intent of allowing Short-Term Rentals as a permitted use for the zones prescribed herein in accordance with Utah State code and Iron County code.

SECTION 6. Severability.

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

SECTION 7. Effective Date.

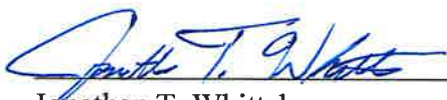
This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code §17-53-208.

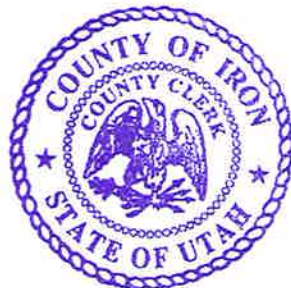
PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 25th day of March, 2019.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker
County Clerk



VOTING:

Alma L. Adams _Aye_
Michael P. Bleak _Aye_
Paul Cozzens _Absent_

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION

Alma Adams, Iron County Commission Chair, declared the convening of the Iron County Board of Equalization (BOE)

REVIEW OF ONE APPLICATION FOR PROPERTY TAX EXEMPT STATUS

Christene Lowder presented for possible approval an application for exempt status from the Church of Jesus Christ of Latter Day Saints. The parcel in question was Assessor's Parcel Number (APN): B-2000-TA #494631. After some discussion, including the parcel's value and use, Mike Bleak made a motion to deny the requested exempt status. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

CONSIDER AND POSSIBLY APPROVE CHANGES TO IRON COUNTY PERSONNEL POLICY, SECTION 34, REGARDING RETIREMENT OF LAW ENFORCEMENT OFFICERS

Mike Bleak explained that there was a question if the Iron County Personnel Policy allowed a duty weapon to be purchased or gifted upon the retirement of a law enforcement officer. Mike reported that it was a tradition across the country to present an officer their duty weapon upon retirement. The Iron County Policy currently read: 1. Upon the retirement of an employee with over 10 years meritorious service, or an elected official having served at least one full term, Iron County may provide a memento, and or gathering to service the individual. This memento, and or gathering may not exceed a combined cost of \$200.00. The new policy addition would read: "2. additionally upon the retirement in good standing of a law enforcement employee with over 10 years meritorious service, or the elected Sheriff having served at least one full term, Iron County may provide the duty weapon as a gift to recognize the service of the individual. If the employee choses they may opt not to take the duty weapon and instead purchase their duty rifle for half of the replacement cost. If the employee wants to obtain all their firearm related equipment, they will receive the duty weapon as a retirement gift, and then may purchase equipment at full replacement cost. In no case will the retiring employee be allowed to purchase their duty rifle if it was fully automatic." The addition would bring Iron County up to standard with the rest of the country. Michael Bleak made a motion to approve the changes to the Iron County Personnel Police, Section 34, regarding retirement of Law Enforcement Officers. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

REVIEW AND POSSIBLE APPROVAL OF "SURPLUS LIST OF INSIGNIFICANT REAL PROPERTY" TO BE POSTED ON THE IRON COUNTY WEBSITE

Jon Whittaker explained that this was in relation to Ordinance 2019-3. The list that would be posted only included those parcels that Iron County acquired via the tax sale. The updated list of parcels would be presented in 2 weeks at the next commission meeting. Michael Bleak made a motion to approve the "Surplus list of Insignificant Real Property" as presented by Jon Whittaker. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

PERSONNEL

Adrion Walker, Iron County Human Resource (HR) Director, presented new hire James Johnson as a Building Inspector/Zoning Officer, effective date April 8th, and salary beginning at \$26.24 per policy due to his experience. This was a backfill of a vacant position. Michael Bleak made a motion to approve new hire James Johnson as a Building Inspector/Zoning Officer, effective date April 8th, and salary beginning at \$26.24 per policy/per experience. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

NON-DELEGATED ITEMS

No Non-Delegated Items were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma L. Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY SPECIAL COMMISSION MEETING
MARCH 28, 2019**

Minutes of the Iron County Special Commission meeting convened at 10:30 a.m. March 28, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
G. Michael Edwards	County Deputy Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Steve Platt	County Engineer
Reed Erickson	County Planner

SYNOPSIS

ADJOURNMENT	2
CLOSED SESSION FOR PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY	2
INVOCATION	1
PLEDGE OF ALLEGIANCE.....	1
STRATEGY SESSION FOR PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY.	1

PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Steve Platt.

STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY. NOTE: THIS PORTION OF THE MEETING MAY BE CLOSED IN ACCORDANCE WITH UCA§ 52-4-205 (d).

Before entering into closed session, Jennie Hendricks, a citizen of Cedar City, expressed concern regarding the short notice given for the special meeting. Jennie expressed that it appeared to be a multi-million dollar purchase, and that, if agreed to, it would have provided very little opportunity for public scrutiny. She noted that if the urgency underlying the Special meeting had to do with a contract deadline, that perhaps a contract extension could be negotiated. Jennie expressed hope that any purchases would be seen as transparent by the public and that taxpayer funds would be safeguarded. Alma Adams noted that the commission would not move forward without everything in its proper place, if they moved forward at all.

**IRON COUNTY COMMISSION MEETING
APRIL 8, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 8, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

SYNOPSIS

ADJOURNMENT	7
APPROVAL OF MINUTES	2
APPROVAL OF PARTIAL VACATED & AMENDED PLAT-ESCALANTE VALLEY	4
APPROVAL OF PURCHASE APN: A-962-2 AND APN: A-0963-1	5
AWARD OF GRAZING BID	5
COMMISSION REPORTS	2
CORRECTIVE DEED FOR APN:C-1038-39-41	6
FINANCIAL & OPERATING AGREEMENT IRON COUNTY SHERIFF, FOREST SVC.	6
ICCD&RA 2019-1 REGARDING COVE MOUNTAIN SOLAR PROJECT.....	6
INVOCATION	2
NON-DELEGATED ITEMS.....	7
PERSONNEL	7
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	3
PUBLIC HEARING REGARDING ASSESSMENT ON HIDDEN VALLEY LANE	3
PUBLIC HEARING REGARDING ZONE CHANGE ESCALANTE FARMS	4
PUBLIC HEARING REGARDING ZONE CHANGE ESCALANTE VALLEY RANCHOS	4
SURPLUS LIST OF INSIGNIFICANT REAL PROPERTY	5
SUU FEASIBILITY STUDY FOR NEW JAIL SITES	2

PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Ken Carpenter.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held March 25, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

COMMISSION REPORTS

Paul Cozzens, Iron County Commissioner, reported that Frank Nichols donated a machine to the Central Iron County Water Conservancy District (CICWCD) to use at the water recharge basin at Quichapa. Paul reported that the CICWCD had hired Nancy Dalton to help get a grant for a 25-40 acre reservoir. Nancy helped write the grant application to the Bureau of Reclamation in the amount of \$750K. The grant would be a 50 percent matching grant.

Alma Adams, Iron County Commissioner, reported that the water runoff that had been captured in the previous 48 hours was dirty with sediment from the Brian Head Fire. The valves at the Parowan retention basin were being repaired. Until the valves were fixed most of the water was going to the Little Salt Lake.

PRESENTATION AND POSSIBLE APPROVAL OF A FEASIBILITY STUDY REGARDING A NEW JAIL SITE

Dr. Angela Pool-Funai, Director of the Master of Public Administration (MPA) program at SUU, explained that MPA students Micah Alba and Miles Anderson participated in the Feasibility Study for the Iron County Jail Site and would help in the presentation. Angela explained that the report offered a preliminary analysis of prospective sites that Iron County might consider for a new Jail. The MPA program at SUU was asked to explore three potential sites for the commissioners to review. Dr. Pool-Funai reported that the sites being considered were: Site 1. Iron Springs Rd which is located near the Iron County Landfill, 41.16 acres, APN: E-414. This property was already owned by Iron County; Site 2. Located at 4700 West 1600 North, 20 acres, APN: E-152-1-1. The property was currently owned by the Black Rock Corporation; Site 3. Located at 9750 West Hwy 56, 81.75 acres, APN: E-670. The property was currently owned by Jones Land and Livestock. Micah and Miles reported on the Pros and Cons of each potential site. Angela reported that there were four additional sites that could be considered for the Jail site. All four of the sites were located off SR 130 (Minersville Highway) in the Enoch area. APN: D-489, 49 acres, currently owned by Kim Young, APN: A-1007, 38.24 acres, currently owned by Kim Young, APN: A-1006, 143.64 acres, currently owned by the Salzano Family Trust and APN: A-979, 80 acres, currently owned by Monarch Investments. The commissioners thanked the group for the excellent report and for all the hard work put into the study. Alma Adams noted that Iron County was blessed to have Southern Utah University here.

Alma Adams, Iron County Commissioner, reported further that he was on the Forest Service Stewardship Committee along with various elected officials and private citizens. Tom Quigley, a retired Forest Service employee and had a strong interest for treatments to the Iron County overgrown forests. The Forest Service was on board to try and get 20 year Stewardships for someone in the timber business to have a guarantee supply of timber for a 20 year period. The timber businesses had shut down in Southern Utah as a result of the lawsuits by environmentalist groups. Alma expressed that this had caused the forest to overgrow and as a result the Brian Head Fire was fueled by it. The Forest Service budget had plummeted as a result of the halt of timber harvest and timber treatments.

Ken Carpenter, Iron County Sheriff, reported that he had attended the Western Sheriff's Association meeting. While there he attended the Land Use meeting and met with the directors of Bureau of Land Management (BLM) and Forest Service. Brian Steed, former Iron County Deputy Attorney, was now the current acting BLM Director. Some of the things that were talked about were: the distribution mechanism for coverage provided by the Sheriff's on forest service property; Wild horse and Burro management was a concern as the cost was very high to maintain; Travel Management Implementation was governed by legislature and there was a 10 year moratorium in traveling in these areas and would need to be eased by legislation. Many have expired and are going on 15 years because legislature had not lifted them; to lift restrictions. Executive Order #13855 was signed in December 2018. It promotes active forest management while reducing wild land fires by clearing fuels from under power lines and target grazing of 200 feet on either side of the roadways to create fire breaks. Sheriff Carpenter reported on some changes in the department that came from the Deputies. He concluded with a report on the opioid problem in Iron County. There was a meeting with the Southwest Mental Health Department regarding a grant from the Federal Government that involved addicts that want to become clean. There would be three steps that would have to be followed: 1. When an addict was released from jail the SW Health Department would give an opioid blocker shot. If the person elected to take an opioid it would make them extremely ill; 2. Rehab 3. Medical and dental needs would be assessed. The result of the three step approach would get lives back in order and back into community.

PUBLIC COMMENTS

Anita Geogopoulos, a citizen of Iron County, wondered if it was possible to get two more cost quotes for a possible lower bid on the assessment for 5900 North. Alma Adams reported that the numbers listed were just an estimate and that it would go out for bids.

PUBLIC HEARING TO RECEIVE COMMENTS REGARDING AN ASSESSMENT AREA, 5900 NORTH (HIDDEN VALLEY LANE) TO CHIP SEAL ROADS

Chad Nay, Iron County Planning and Zoning Administrator, explained that the public hearing was to begin the process for the assessment area. Chad reported that 40 percent that would protest would stop assessment. Those had to be turned into the County Clerk.

Alma Adams, Iron County Commission Chair, declared the public hearing regarding the Assessment Area on 5900 N. to chip seal the road open. Thomas Enders, explained that he lived off 2300 West and when he paid into the sewer he was given the address of 5949 N 2300 W. His property only bordered 5900 N and he never used the road and the chip seal would be of no benefit to him. Mary Ellen Enders, a citizen of Iron County, reported that Utah Code 11-42-401 showed that her property was not in compliance with the assessment and should not be included. Mike Edwards stated that the public hearing begins the required 60 day protest period. No additional comments were offered. Alma Adams declared the public hearing closed. There was a request for another comment. Alma Adams declared the public hearing reopened. Amy Lile, a citizen of Iron County, stated that although the chip seal of the 1500 N road was needed, she was confused on the price increase of an additional \$20K for county overhead. Chad explained that the fees listed were estimated and the law required a 15 percent contingency. Amy explained that she had owned her property since 1972 and wondered why Iron County did not do anything then and was now putting the cost on to the citizens. Alma Adams explained that in 1972 the developer was responsible and did not bring the road up to the Iron County Standard. An Ordinance was later passed to make the developer bring the roads up to standard before the county would take possession of the road and maintain it. It would not be fair to require all Iron County citizens to pay for a single road from one subdivision. No additional comments were offered. Alma Adams declared the public hearing closed. Mike Edwards stated that all protest letters/emails would need to be sent to the Iron County Clerk.

PUBLIC HEARING TO RECEIVE COMMENTS AND TO CONSIDER ACTION REGARDING A ZONE CHANGE REQUEST (A-20 TO 1A) 105.45 ACRES LOCATED IN THE SW ¼ AND W ½ OF THE SE ¼ OF SECTION 11, T36S, R16W, SLB&M. ESCALANTE FARMS APPLICANT RECOMMENDED FOR APPROVAL BY THE IRON COUNTY PLANNING COMMISSION

Chad Nay explained that the Holt family owned a large dairy and were trying to make improvements to the dairy. The Holt's had chosen to add a new waste water pond which would be more compatible help move the smell away from town. It would be located West of Newcastle and south from dairy. Chad reported that the Planning Commission voted 100 percent for the zone change. Alma Adams, Iron County Commission Chair, declared the public hearing regarding a zone change request located at the Escalante Farms open. No comments were offered. Alma Adams declared the public hearing closed. Paul Cozzens made a motion to approve the zone change request from A-20 to 1-A, 105.45 acres located in the SW ¼ and W ½ of the SE ¼ Section 11, T36S, R16W, SLB&M. Recommended zone change from the Iron County Planning Commission, requested by Escalante Farms. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC HEARING TO RECEIVE COMMENTS AND TO CONSIDER ACTION REGARDING A ZONE CHANGE REQUEST (R-1 TO C) 4.90 ACRES IN THE ESCALANTE VALLEY RANCHOS SUBDIVISION UNIT 6 LOTS 120, 123,124 & 127, ADJACENT TO HWY U-18 AT 555 SOUTH, BERYL. RECOMMENDED FOR APPROVAL BY THE IRON COUNTY PLANNING COMMISSION

Chad Nay explained that Kirk Bracken wanted to fill a void in tire service that had been lost in the Beryl area. Kirk was interested in opening a business to provide tires. Chad reported that the Planning Commission voted unanimously to approve the zone change to commercial. Alma Adams, Iron County Commission Chair, declared the public hearing regarding the zone change request from R-1 to C in the Escalante Valley Ranchos Subdivision open. Cindy Bulloch, Iron County Assessor asked if this would be a new business adjacent to the existing business. Chad reported that it would be located in the same place. No comments offered at this time. Alma Adams declared the public hearing closed. Michael Bleak made a motion to approve a zone change request from R-1 to C, 4.90 acres in the Escalante Valley Ranchos Subdivision, Unit 6, LOTS 120, 123, 124 and 127, adjacent to Hwy U-18 at 555 South Beryl, requested by Kirt Bracken. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A PARTIAL VACATED & AMENDED PLAT, LOTS 120, 123, 124 & 127 ESCALANTE VALLEY RANCHOS SUBDIVISION UNIT 6, IRON COUNTY, UTAH. VACATE SAID LOTS TO COMBINE AND CREATE A SINGLE LOT 120A. KIRK BRACKEN APPLICANT. NO VACATION OF ROADS OR RIGHT OF WAYS

Chad Nay explained that the business by Kirk Bracken was large enough that it would need the lots. There was a total agreement to vacate and amend those lots to create a single lot. Paul Cozzens made a motion to approve the partial vacated and amended Plat, LOTS 120, 123, 124 and 127 located in the Escalante Valley Ranchos Subdivision Unit 6, Iron County, Utah. Vacate sad lots to combine and create a single LOT 120-A. There would be no vacation of roads or right of ways. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

CONSIDERATION OF AN POSSIBLE AWARD OF A GRAZING BID FOR THE SECOND MOUNT UTAH PRAIRIE DOG (UPD) MANAGEMENT PROPERTY. BIDS ARE FOR SPRING AND FALL

Alma Adams explained that the grazing property was located between Parowan and Summit on Old Hwy 91. Bids submitted were for Spring and Fall grazing. Mike Worthen, Iron County Natural Resource Director, explained 194 acres was procured by the Nature Conservancy and deeded to Iron County with an easement for the management of the UPD. Grazing was allowed on the property and a proposal was sent out for grazing bids. Five bids were received with the high bid of \$30 per Animal Unit per Month (AUM) for a total amount of \$3,000 submitted by Jake Benson & Coy Stowell. Other bids submitter were from Scott Stubs for \$15 AUM total \$1,500, David and Lori Hulet for \$15 AUM total \$1,500, Lyle Barton for \$14 AUM total \$1,400 and Matthew Rhoades for \$3 AUM total \$300. Mike reported that the grazing bid would be awarded to Jake Benson and Coy Stowell. Paul Cozzens made a motion to award the grazing bid for the Second Mound UPD Management Property for Spring and Fall to Jake Benson and Coy Stowell in the amount of \$30 per AUM total of \$3,000. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

CONSIDERATION OF AND POSSIBLE PRELIMINARY APPROVAL OF AN OFFER TO PURCHASE APN: A-962-2 AND APN: A-963-1, LOCATED IN A "FISSURE AREA" IN ENOCH CITY, UTAH

Jon Whittaker explained that Nathaniel Pugh and George Lutterman offered to purchase two properties in Enoch City located in a fissure area. The 2 parcels were under consideration to be listed on the Insignificant Real Property Surplus list. The offer was for \$17,100 on the first parcel and \$15,030 on the second 10 acre parcel. Nathaniel Pugh explained the 2 parcels brought before the commission for purchase was based on \$1,500. He would not be interested in them but they were touching property that he already owned. Jon reported that in conjunction to item #9 on the agenda it was debated on whether or not the 2 parcels would be included on the Surplus List of Insignificant Real Property. The new Ordinance was written in such that the appraised value at the time Iron County acquired the parcels was greater or less than \$10,000 was a factor. The fissure valuation did not change before Iron County acquired the parcels it was determined they would be on the list. Jon reported that to be included on the list they had to be listed at \$850 per acre. He explained that the commission had the discretion to have the parcels listed as "significant property" and wait for the parcels to be advertised for 14 days per the ordinance or keep them on the "insignificant property" list, accept the offer brought before them and wait for 5 days for any counter bids. Enoch City Mayor Rob Dotson reported that the parcels were not in a "fissure area" but located next to the "fissure area." It had been established that the area was geologically safe to build there. Alma Adams made a motion to approve a 14 day advertisement period begin subsequent to the offer made as explained, to be brought back at the next possible meeting once the advertisement is made. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

REVIEW AND POSSIBLE APPROVAL OF THE SURPLUS LIST OF INSIGNIFICANT REAL PROPERTY TO BE POSTED ON THE IRON COUNTY WEBSITE

Michael Bleak made a motion deny the changes to the Surplus List of Insignificant Real Property. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF AN ANNUAL FINANCIAL & OPERATING PLAN BETWEEN THE IRON COUNTY SHERIFF OFFICE, USDA, FOREST SERVICE AND DIXIE NATIONAL FOREST

Ken Carpenter, Iron County Sheriff, explained that the Forest Service had limited Law Enforcement resources to cover the Federal Forest Service areas. Where the majority of the Forest Service area was located in Iron County the Sheriff's Office had concurrent jurisdiction for the area. Ken reported that this was a contract that the Forest Service reimburses the Sheriff's Office for their Law Enforcement duties performed in those areas. The amount to be reimbursed was \$3,000. Paul Cozzens made a motion to approve the Annual Financial & Operating Plan between the Iron County Sheriff Office, USDA, Forest Service and Dixie National Forest in the amount of \$3,000. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

Alma Adams, Iron County Commission Chair, declared to convene as the ICCD&RA.

ICCD&RA RESOLUTION 2019-1 AUTHORIZING THE PREPARATION OF A PROJECT AREA PLAN, BUDGET, ETC. FOR COVE MOUNTAIN SOLAR PROJECTS

Danny Stewart, Iron County Economic Development Director, explained that the resolution was to begin the process for the Cove Mountain projects, not to approve the projects themselves. The resolution shows property and allows the go ahead with the plan and budget associated with the solar project. Danny reported that the location for the Cove Mountain Solar Project was on Bench Road between Newcastle and Enterprise. The size was estimated to be between 50-120 megawatts. Paul reported that the Hope Canyon was known for flooding and wanted it stipulated that Iron County would not be liable for possible flooding. Michael Bleak reported that the developers were aware of possible flooding. Cindy Bulloch requested that before the project was approved it be stated where the area would actually cover. Danny explained that the area was just estimated at this time. Michael Bleak made a motion to approve ICCD&RA Resolution 2019-1 authorizing the preparation of a Project Area Plan, Budget, etc. for the Cove Mountain Solar Projects. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

DISCUSSION AND POSSIBLE APPROVAL TO ISSUE A CORRECTIVE DEED FOR APN: C-1038-39-41

Jonathan Whittaker, Iron County Clerk, explained that Security Escrow Title approached him regarding the Iron County deed from 1942 prepared by Iron County Clerk, Clair Rowley. There were three aliquot part descriptions in Section 17, T34S, R9W, SLB&M. The third one was listed as the S1/2 of the SE1/4 of the SW1/4. It should have been listed as the S1/2 of the SE of the NW1/4. Security Escrow Title requested that the corrected deed include the current owner Alaina R. Holyoak as the sole trustee of the Holyoak Family Trust, dated October 15, 2018. Jon reported that this would be a correction of the clear intent of property. Paul Cozzens made a motion to approve the corrective deed for APN: C-1038-39-41 as presented by Jon Whittaker. Second b

PERSONNEL

Adrion Walker presented the new hire of Camilla Olsen as a Contracted Therapist in the Children’s Justice Center, 20 hours per week, salary to be funded by the Victims of Crimes Act (VOCA) Grant. Camilla would be working in the various Iron County Elementary Schools. Michael Bleak made a motion to approve Camilla Olsen as a Contracted Therapist in the Children’s Justice Center, 20 hours per week with her salary to be funded by the VOCO Grant. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

COUNTY BOARDS

Alma Adams reported that Kim Evans and Shawn Reber had agreed to continue to serve on the Iron County Weed Board. Adam made a motion to approve Kim Evans from the Parowan Valley and Shawn Reber from Kanarraville to be reappointed for another 4 year term to the Iron County Weed Board. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
APRIL 22, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 22, 2019
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

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PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Jon Whittaker.

INVOCATION

An invocation was offered by Michael Bleak.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Special Iron County Commission meeting held March 28th, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Dan Jessen, Iron County Auditor, reported that the Auditor's budget was on track. The Iron County budget was also on track. Dan reported that he was working with the firm Hinton Burdick on a pre-Audit. The Official Audit would be executed by Kimball & Roberts with the onsite portion being conducted May 13-17th. The Official Audit would need to be completed and filed to the State Auditor by the end of June. He reported that he is a member of the Board of Directors of the Utah Association of Counties (UAC) and that UAC was in a state of upheaval. There was a survey taken that highlighted some discontent among the Rural Counties and the Urban Caucus with political principles, basically with the identity of UAC and what they stand for. There was a presentation (voted on and passed) from the Urban Caucus to form a committee to discuss the new structure of the Board of Directors which would include one board member from each county. The vote would be weighted on the amount that each county payed into UAC. CEO Adam Trupp & UAC were parting ways with UAC. Cindy Bulloch, UAC Board Representative, explained that public lands paid separate dues and was assessed and expensed differently. Cindy reported that there were issues within UAC but not as dire as presented by Dan. The proposal on weighted voting was not clear and the board continued to work through the different proposals. Dan commented on his vacation to Washington and the wonderful experiences he had visiting the Historical sites there. He was able to attend the Changing of the Guard at The Tomb Unknown Soldier. The Guard has been on patrol nonstop since 1937. In Pennsylvania they visited the Lincoln Memorial. Dan reported that to the right of the Lincoln statue hangs Lincoln's 2nd Inaugural Address. He was impressed with a statement in the address which addressed both the Union and Confederate Army men. He quoted "both read the same bible, both pray to the same god, and each invokes his aid against the other. It may seem strange that men should dare to ask God's assistance in wringing their bread from the sweat of other men's faces. But let us judge not that we be not judged." Lincoln was stating that both sides were praying to God for the same thing, but that it was God to choose. He continued "Malice towards none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations." Dan noted that we tend to be so involved in our cause and reduce our opponents and demonize them. We all need to remember that each of us is human and has intrinsic worth.

Alma Adams, Iron County Commissioner, reported that he had just returned from a vacation to China. Even though the government killed 10,000 people simply for protesting against the government in public, the people there were amazing. He felt very safe there and was grateful to live in the United States.

Cindy Bulloch, Iron County Assessor, reported that the budget was on track. This was a very busy time of the year for her office getting the Assessment Rolls completed for the May 21st deadline. Cindy reported that the Utah Legislation passed a new Assessment Rate that was retroactive January 1st. The previous assessment rate was required to be between 90 and 110 percent of market. The new Assessment Rate would be between 95 and 105 percent of market across the board. There would be a 5 percent adjustment increase regardless of what happened with the market. She explained that her office had been at 93 percent and would now have to shoot for at least 95 percent of market. The values that fall between 93 and 95 percent would have the same increase across the board. Some would be higher than others. There would not be a tax shift. Cindy explained that most of the frustration of the public was in misunderstanding the Assessment Rolls. The Assessor's Office staff will be trying an outreach program, before the Board of Equalization (BOE) in August and the middle of September. She reported that the Business Personal Property and Mobile Home billings were sent out and have had a 50 percent return. Three Peaks Power was appealing a specific component and would not be eligible for the incentives until it was resolved. Jon Whittaker noted that Three Peaks Power did have the application in for the incentives on time but would not be eligible to receive them at this time.

Nichole Rosenberg, Iron County Treasurer, reported that the budget was on track. Product sales collected were \$2.8M. Of that amount Iron County collected \$536K. Pooled cash

was slightly down. Outstanding taxes were \$5M, down slightly from 2018. She reported that they were working on updating addresses. The May Tax Sale started at 231 and was now at 129 properties to be sold at auction. 6 of those were homes and 1 was a commercial building. Nicole reported that her deputies, Nichole Bess and Melanie Hall had been going the extra mile to contact and notify the owners to give them a chance to redeem their parcels. Chief Deputy Melanie Hall had been working with the Clerk's Office to improve Online Payments. Nicole reported that they were able to help the Building & Zoning Office obtain a postage machine. The machine would be shared with the Engineer's Office, the Department of Motor Vehicles and Human Resources. Finally, Nicole reported that they were working with Chelsea Boxwell in the Building and Zoning Office to implement the software Incode for billing. Nicole expressed how grateful she was for her office staff.

Carri Jeffries, Iron County Recorder, reported that the budget was on track. Total recordings were 3,011, down from the previous quarter at 3,605. Transfer documents were 1086; Foreclosures were at 6 and there were 7 new Subdivisions and 4 Subdivision Amendments. Carrie reported that total Revenues were \$54,626.35. The Legislature had passed House Bill 247, which increased recording fees to \$40 per recording. The new fee schedule for each recording was: Standard Document fee was \$40; Each Lot/Description over 10 was \$2; Subdivision Plat each page was \$50.00 and Each Lot/Unit on a Subdivision Plat was \$2. Carri noted that it had been 26 years since a fee adjustment had been made.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, noted that he was pleased that the meeting began with the Pledge of Allegiance, which included "liberty and justice for all." Bill presented each commissioner with a book titled "The 5000 Year Leap" and encouraged them to read it so they could understand what their responsibility was towards the liberty of each individual of Iron County. He stated that the book included all 28 principles included in the Constitution of the United States. He thanked the commissioners for all the work they do.

Paul Cozzens, Iron County Commissioner, reported that he just returned from a vacation to Hawaii and visited the USS Arizona Memorial. Paul reported that there were 23 sets of brothers that perished on the Arizona. Out of the 350 survivors that had since passed away, 43 had had their ashes returned to the Arizona.

REVIEW AND POSSIBLE APPROVAL OF THE SURPLUS LIST OF INSIGNIFICANT REAL PARCELS

Jon Whittaker explained that the list was not complete. Jon noted that the Surplus List included parcels left over from the tax sales and that Iron County Ordinance 2019-3 allowed other parcels that Iron County had acquired to be included on the list. When the list went public individuals had requested lots not included on the list. The minimum value was \$350. Jon suggested that the commission approve the list as amended with the addition of 16 different parcels not listed. The 16 parcels were the parcels that had been requested but not on the list. Paul Cozzens made a motion to approve the Surplus List of Insignificant Real Parcels as presented with a check on line 278 for a possible error. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSILE APPROVAL OF THE 2019 ANNUAL COOPERATIVE AGREEMENT BETWEEN UTAH STATE UNIVERSITY (USU) EXTENSION SERVICE AND IRON COUNTY

Alma Adams reported the amount of the USU Cooperative Agreement was \$200,340 for extension services and \$116,390 for contracted services. Dan Jessen noted that the prices listed were in line with the Iron County budget. Paul Cozzens expressed his thanks to Chad for his wealth of knowledge and the great work he does. Michael Bleak made a motion to approve the 2019 Annual Cooperative Agreement between the USU Extension Service and Iron County in the amount of \$200,340. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker, Iron County Human Resource (HR) Director, presented a promotion for Dan Westwood from Apprentice Appraiser to Licensed Appraiser in the Assessor's Office, with a corresponding 5 percent pay increase, effective April 21st. Dan had completed the requirements to become a Licensed Appraiser. Adrion Walker also presented a 2 percent pay increase for Brenda Pires for completing the K9 Certification Course in the Sheriff Office, effective April 7th. Adrion Walker then presented a pay increase for Lance Hollerman, in the Weed Department, effective April 15th. Lance had been hired as a Seasonal worker and had received training for the position but his salary had never increased. The proposed new wage would be \$16.80 per hour. Adrion noted that the increase would be within the 2019 budget. Paul Cozzens made a motion to approve the personnel pay increases as presented by Adrion Walker. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Brionna Garret, Iron County Victim Advocate Coordinator, presented a request for a new Full-time Victim Advocate position within the Sheriff's Office. Brionna explained that the salary would be funded with Grant Funds. She reported that she applied for the Victims of Crime Act (VOCA) Grant which would allow for one new Full-time Victim Advocate, with overtime included. Since January the 2 current Victim Advocate's had served 204 victims out of 651 in the Iron County area. She reported that the Full-time position salary would be \$15 an hour. The VOCA Grant included overtime. Everything but 15 percent of the \$28,684 benefit would be covered through the grant. The total for the grant was \$32,550 and the 15 percent benefit not covered was \$4,302. Brionna reported that she had talked with Parowan Police Department and they would cover \$2,151 and the Enoch Police Department was checking with their treasurer to see if they would be able to help with the other half. Michael Bleak stated that the Victim Advocates had been desperately needed for years. All the Officers speak highly of the program and for VOCA stepping up with the program. Michael Bleak made a motion to approve the new Full-time Victim Advocate position under the Sheriff's Office funded by VOCA Grant, effective July 1st as presented by Brionna Garret, contingent on continued VOCA Grant funding. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

Alma Adams reported that Wayne County had agreed to participate in the General Conservation Plan. Dan Jessen reported that Garfield County had contributed.


COUNTY BOARDS

Alma Adams requested the list of the Iron County Boards be presented for review. The updates and changes to the list were: Corrections Board filled by Joanna Cuthers; no Commission assignment to the Corrections Board; removed Jay Sissener from the Accident & Safety Board and added Lt. Del Schlosser from the Sheriff Office; removed Dale Brinkerhoff and Jeff Lewis from the Bookmobile Library Board and added Commissioner Alma Adams, Alma Adams will check on any other updates; removed Dale Brinkerhoff from the Boundary Board and added Commissioner Michael Bleak; change in the name of the Career Service Council to Career Service, remove members names and it would now be administered by an Administrative Law Judge, remove "terms" ; no changes to the Council on Aging Board, only


changes to term dates; Health Insurance Committee Changes were: Auditor Office change to Carrie Christiansen, Treasurer Office to Melanie Hall, Recorder Office to Bart Bishop, CJC to Angelica Judd, Clerks Office to G'Ne Bartholomew. Adrion Walker would send an updated list to Jon Whittaker; changes to the Iron County Special Service District #3 (ICSSD#3) Administrative Control Board: four year terms, possible replacement on Brandon Hunter, check on membership date for Kim Evans; removed John Higley and added George Colson to the LEPC/Emergency Preparedness Committee; Alma Adams would check on any changes on the Natural Resource Advisory Council; check on dates as three year terms-max 9 consecutive years, Jon Whittaker would check with Chad Nay for any changes on the Planning & Zoning Board; replace Rusty Akin on the Restaurant Tax Board; removed Dale Brinkerhoff, Jim Matson, and David Tebbs, added Commissioner Paul Cozzens, LaMont Smith and Jerry Taylor on the Southwest Behavioral Health Board; no changes to the Summit Spec Service District Board; no changes; removed Kenzie Lundberg, added Wyatt Ihler to the Tourism Advisory Board; Brent Hunter was under review in 2021, Spencer Jones reappointed in 2019, change date on Terri Hartley to 2023 on the Water Conservancy Board; Shawn Reber and Kim Evans agreed to another four year term on the Weed Control Board. Alma Adams made a motion to reappoint Shawn Reber and Kim Evans for another four years on the Weed Control Board. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

ADJOURNMENT

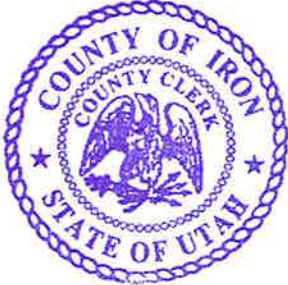
Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
MAY 13, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 13, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by William Pressgrove.

INVOCATION

An invocation was offered by Reed Erickson.

DEPARTMENTAL REPORTS

Stephanie Furnival, Iron County Children’s Justice Court (CJC) Director, thanked Commissioner Blake for supporting her at the awards ceremony where she received the “Ann Fryman Victims Advocate of the Year Award” for the state of Utah. Commissioner Bleak explained that the award was very prestigious and that it was the “Oscar Award” of Victim Abuse Prevention. He was very proud that Stephanie received the award and stated that she was well deserving of it. Stephanie reported that the Victims of Crimes Act (VOCA) Grant application was being processed to be submitted for continued funding. There were funds available for an Awareness Program called “Shine” that she was going to apply for. She reported that the 2019 Dancing with the Stars fund raiser program was moving forward. The CJC Fun Run would be held on the 18th. Stephanie reported that she would be attending the CJC Symposium held in Snow Bird the 14th through the 16th. She concluded stating Utah leads the nation in leadership in regards to Child Abuse Prevention.

Lori Eichelberger, Iron County Justice Court Administrator, reported that the budget was on track. The moving and non-moving violations were up by 500 cases from last year. The Business Continuity Institute Audit report returned with positive results.

Jared Wilson, Iron County Information Technology (IT) Director, was excused due to sickness.

Curtis Crawford, Iron County Council on Aging (COA) Director, reported that the Senior Centers in Cedar City and Parowan were doing well. Curtis reported that Iron County Volunteers were wonderful. There were currently 78 volunteers helping with the Senior Centers. He reported that he was over on the food portion of his 2018 budget. The decision was made to cut back on large holiday and special event meals. They would only do those on the Thanksgiving and Christmas holidays. The groceries would now be purchased from Walmart and the Parowan Market. The Parowan Market would give the COA a 25-33 percent discount and would deliver to Cedar City. The cooks were now documenting a daily total of how much food was left over and what they do with the leftovers. Curtis reported that the contract from Five County expired on June 30th and would need to be renewed. Five County asked, because of the senior growth in Iron County, if Iron County would be interested in purchasing another Meal on Wheels vehicle. The cost portion for Iron County would be approximately \$15-20,000. He explained that he would like to meet with the commissioners in the future to discuss the possible purchase. The Meals on Wheels program would be going through an evaluation because some are taking advantage of the service. Curtis reported that there was a new Military Veterans Board in the Senior Center dining room wall in Cedar City. They were in the process of installing one in the Parowan Senior Center. He explained that the Senior Newsletter comes to the COA with no charge and was placed in various sites.

Chad Dotson, Iron County Attorney, explained that there was a motion from the Opioid Manufacture to consolidate all the cases in Salt Lake, which was denied. They then filed a motion to have a change in the venue from Iron County to Northern Utah. The hearing on the motion would be held May 15th. The motions were slowing the litigation process. The goal was to make the Doctors and manufacturers responsible for the Opioid epidemic. Chad reported that the budget was on track. He reported that there were 550 cases processed in the Iron County Attorney's Office, 166 of those were Felony Cases. There were 6 graduations from Drug Court and 13 Bench trials. Chad expressed his gratitude for his staff noting that the work could not be done without all their hard work.

Alma Adams asked Steve Platt, the Iron County Engineer to report on spring runoff issues in Iron County.

Steve Platt reported that Holt Canyon had quit running and had crossed Bench Road and Hwy 18. Shoal Creek was running high and made it to Hwy 56 without crossing. Quichapa had quit running. Summit Canyon was running clean into the biggest state pit. Steve reported he did not anticipate any problems in the Cedar Valley in Cedar City. Little Creek has run significantly and running black because of the forest fire and was under control. He praised Danny Roberts for his work on Little Creek. Red Creek Reservoir was full and has been spilling across the Hwy. Utah Department of Transportation (UDOT) was handling the Little Creek Road between Paragonah and the Hwy. The water was going across the Hwy and down to Chimney Meadows and hopefully to Little Salt Lake. Steve reported that there was 24" of water in Brian Head. With the warmer weather, that water may come down Parowan Canyon quickly. There was cooler weather in the forecast and it may slow the water flow. He would like to motivate Parowan City to help with the water/flooding issues. Paul Cozzens asked Steve how much water was still expected to come down Cedar Mountain. Steve reported the water level from snow was: Yankee Meadow-0, SUU Mountain Cabin-0, Websters Flat-4.2", Midway and Brian Head both had 24-25" (Midway water goes to the Sevier) and Kolob-24" which flows to the Virgin River. He reported that the higher elevation water had not begun to come down yet. When the weather warms and if the water came down at 1" per day things should be fine. If it comes down faster there would be issues. The recharge pit was helpful.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, reported that he attended the Planning & Zoning meeting and noticed that the members of the committee did not live where they govern. They do not live in the unincorporated areas in Iron County, but were making rules for those areas. One issue that was being discussed was a violation of rule 15 of the Principles of Liberty based on the book The 5,000 Year Leap. He quoted, "the highest level of prosperity occurs when there is a free market economy and a minimum of government regulation." Bill stated that the Planning & Zoning committee was getting ready to make more regulations just because the state said they could.

PUBLIC HEARING AND POSSIBLE APPROVAL OF PEAK VIEW PRELIMINARY SUBDIVISION PLAT, PHASE III

Reed Erickson explained that the subdivision was located south of Midvalley Estates in the NW ¼ Section 16, T35S, R11W, SLBM. The Peak View Subdivision preliminary Plat had been approved by the Iron County Planning Commission on April 4th. Paul Cozzens noted that there was concern over potential flooding from a nearby ditch and asked if that would be a problem. Reed reported that it would not.

Alma Adams, Iron County Commission Chair, declared the public hearing for the proposed Peak View Preliminary Subdivision Plat, Phase III, open. Russell Reber, General Contractor of the Peak View project, reported that the ditch in question has not had water running through it since 1964. There has been a dedicated 15' easement for the ditch. One detention pond has been built for any excess water and contains a pump. During the next phase there would be a dedicated lot with a retention pond. He stated that the ditch had been addressed

thoroughly. No additional comments were offered. Alma Adams declared the public hearing closed. Paul Cozzens made a motion to approve the Peak View Preliminary Subdivision Plat, Phase III located in the NW ¼ Section 16, T35S, R11W, SLBM. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY ORDINANCE 2019-4, CREATION OF THE SUNSET SUBDIVISION ROAD IMPROVEMENT PROJECT ASSESSMENT AREA. LOCATED WITHIN SECTION 31 AND 32, T36S, R12W. SECTIONS 5 AND 6 T37S, R12W, SLBM. EVALUATION OF PROTEST COUNT AND DETERMINATION TO DESIGNATE OR ABANDON THE PROPOSED ASSESSMENT AREA

Reed Erickson explained that there been a public hearing two weeks ago. The protest period ended on the May 10th. At that time there were 12 protests which were posted. Reed reported that there were not an adequate percentage of protests to end the assessment area. Protests needed to abandon or defeat the proposed project was 24, or 40% of the owners. It was now up to the Iron County Commission to approve or deny the assessment area. Reed explained that if the assessment area was approved the next step would be to immediately go to bid to get a firm price on construction and to move forward. The bid would be the actual price, but MUST be less than what was advertised. He noted that there were 4 benefits for the assessment: allow the roads to be accepted by Iron County and be maintained by the county; provide an avenue for mail delivery, all services, and improved safety. Michael Bleak made a motion to approve Ordinance 2019-4 the creation of the Sunset Subdivision Road Improvement Project Assessment Area as presented by Reed Erickson. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY ORDINANCE 2019-4

AN ORDINANCE DESIGNATING THE SUNSET SUBDIVISION ASSESSMENT AREA FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF CERTAIN ROAD IMPROVEMENTS AND RELATED MATTERS

Whereas, Iron County adopted Resolution 2009-7 establishing an application procedure for assessment area proposals; and

Whereas, owners of real property within the Sunset Subdivision requested that Iron County form an assessment area covering the Sunset Subdivision in accordance with Resolution 2009-7 and the Assessment Area Act as set forth in Utah Code Title 11, Chapter 42 (the "Act"); and

Whereas, the County provided notice of the proposed assessment area as required by Utah Code § 11-42-202 by publishing notice in the newspaper as required by § 11-42-202(4)(a)(i) for four consecutive weeks, by posting notice on the Utah Public Notice Website at least four weeks prior to the protest deadline, and mailing notice to each property owner within the proposed assessment area as required by § 11-42-202(4)(b); and

Whereas, the time period for protesting the proposed assessment area ended on May 10, 2019; and

Whereas, the County has received written protests from less than forty percent of the property owners within the proposed assessment area and the County has considered those protests; and

Whereas, the County is authorized to adopt an ordinance designating the assessment area; and

Whereas, the County held the public hearing as required under § 11-42-204 on May 13, 2019; and

Whereas, the County now desires to designate the Sunset Subdivision Assessment Area.

NOW, THEREFORE, BE IT ORDAINED BY THE IRON COUNTY COMMISSION AS FOLLOWS:

1. The County hereby determines that it is in the best interest of the County to designate the Sunset Subdivision Assessment Area (the "Assessment Area").

2. The County has counted the written protests filed in accordance with § 11-42-203 and has determined that "adequate protests" (as defined in § 11-42-102(1)) have not been filed in relation to the Assessment Area.

3. The Assessment Area shall be a single classification with each parcel receiving the same expected benefit and being assessed the same amount.

4. The Assessment Area boundaries are described in **Exhibit A** and shown on the map attached hereto as **Exhibit B**.

5. The Assessment Area is created to construct road improvements to bring the roads within the Assessment Area up to applicable County standards and to construct corresponding drainage improvements.

6. The County may begin providing the specified improvements described in the preceding sentence once this ordinance becomes effective.

7. This ordinance takes effect upon publication and recording, but in no case sooner than fifteen days after the date of its adoption.

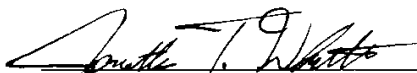
Dated this 13th day of May, 2019.

BY THE IRON COUNTY COMMISSION:

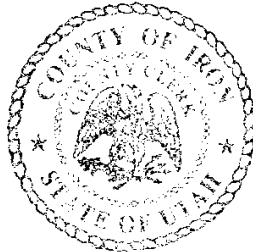


Alma L. Adams, Chair

ATTEST:



Jonathan T. Whittaker, County Clerk



Voting:

Alma L. Adams Aye
Michael P. Bleak Aye
Paul Cozzens Aye

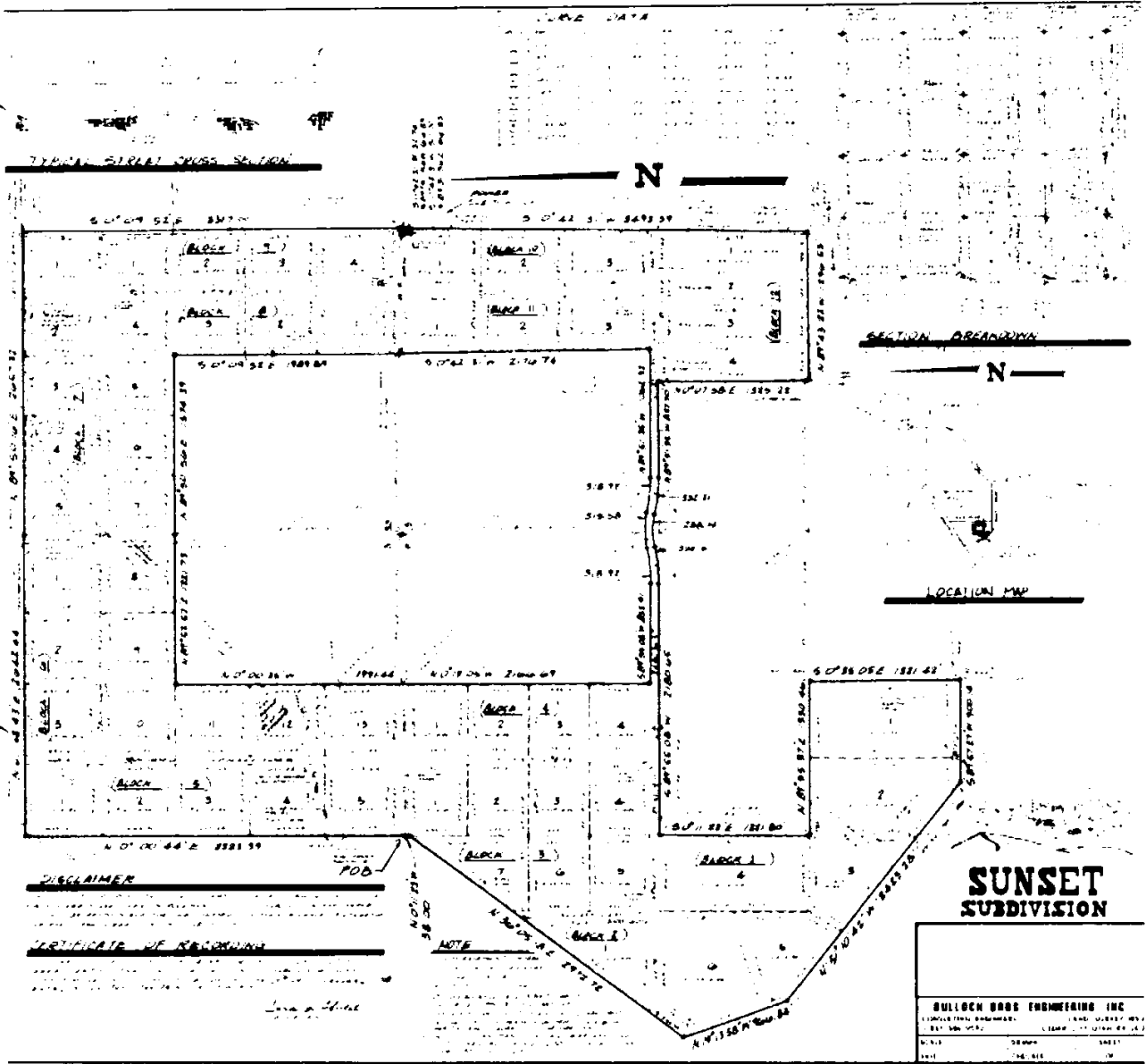
EXHIBIT A

Sunset Subdivision Assessment Area Legal Description

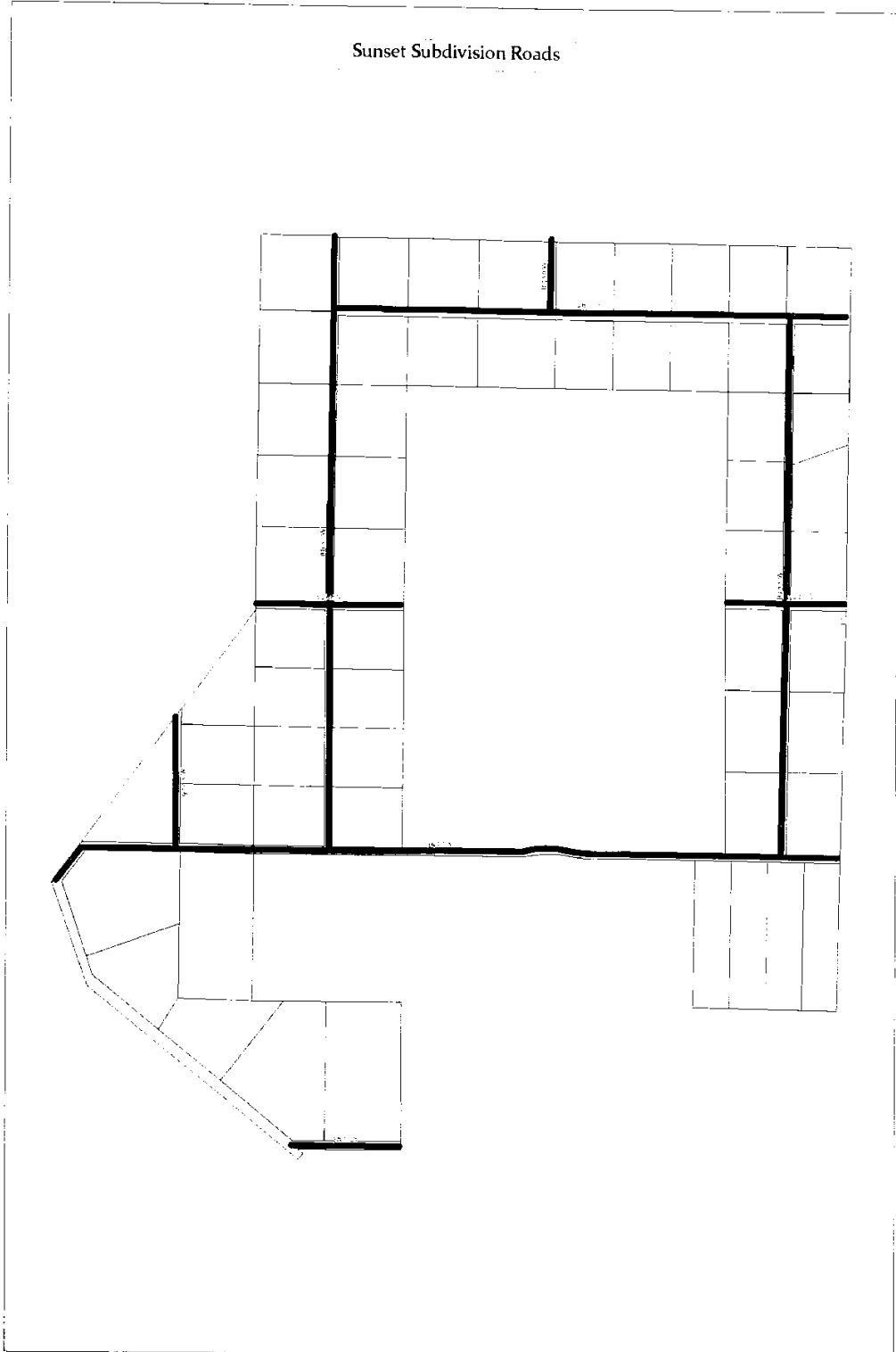
Beginning at the South ¼ Corner Section 31, T36S, R12W, SLM; said point being S 89° 48' 45" W 2645.00 feet from the SE corner of said Section 31; thence N 0° 00' 44" E, 3323.39 feet; along the ¼ Section line; thence N 89° 58' 43" E, 2642.44 feet to the east line of said Section 31, thence N 89° 50' 16" E, 2657.32 feet; thence S 0° 09' 52" E, 3317.00 feet along the ¼ Section line; to the South ¼ corner of Section 32, T36S, R12W, SLM; thence S 0° 42' 31" W, 32.74 feet along the ¼ Section line, thence around the boundary of a power substation as follows S 89° 51' 56" W, 64.83 feet; thence S 0° 42' 31" W, 50.00 feet; thence N 89° 51' 56" E, 64.83 feet; thence departing said power substation boundary S 0° 42' 31" W, along said ¼ Section line a distance of 3493.59 feet to the center of Section 5, T37S, R12W, SLM; thence N 89° 43' 23" W, 1296.55 feet; thence N 0° 07' 58" E, 1325.22 feet; thence N 89° 51' 35" W, 837.70 feet; thence along the arc of a curve to the right having a radius of 1649.88 feet, a distance of 332.21 feet to a P.R.C., thence along the arc of a curve to the left having a radius of 710.17 feet, a distance of 288.74 feet to a P.R.C.; thence along the arc of a curve to the right, having a radius of 1649.76 feet, a distance of 332.21 feet; thence S 89° 55' 08" W, 2180.65 feet; thence S 0° 11' 23" E, 1321.80 feet to the center of Section 6, T37S, R12W, SLM; thence N 89° 55' 37" E, 1330.46 feet along the ¼ Section line, thence S 0° 35' 05" E, 1321.42 feet; thence S 89° 57' 27" W, 900.14 feet; thence N 51° 10' 42" W, 2423.28 feet along the Northeasterly line of an existing County Road; thence N 19° 13' 58" W, 966.84 feet along the Northeasterly line of said existing County Road; thence N 36° 05' 18" E, 2972.72 feet; thence N 0° 11' 23" W, 38.00 feet to the point of beginning containing 579.507 acres of land not including the excluded parcel below.

Excluding the following described parcel: Beginning S 89° 48' 45" W, 1322.50 feet from the SE Corner Section 31, T36S, R12W, SLM; thence N 0° 00' 35" W, 1991.44 feet; thence N 89° 53' 57" E, 1321.73 feet to the East line of said Section 31; thence N 89° 50' 56" E, 1574.39 feet; thence S 0° 09' 52" E, 1989.89 feet to the South line of Section 32, T36S, R12W, SLM; thence S 0° 42' 31" W, 2176.74 feet; thence N 89° 51' 35" W, 1062.32 feet; thence along the arc of a curve to the right having a radius of 1583.88 feet, a distance of 318.92 feet to a P.R.C.; thence along the arc of a curve to the left having a radius of 776.17 feet, a distance of 315.58 feet to a P.R.C.; thence along the arc of a curve to the right, having a radius of 1583.76 feet, a distance of 318.92 feet; thence S 89° 55' 08" W, 853.41 feet; thence N 0° 19' 05" W, 2166.69 feet to the point of beginning.

EXHIBIT B
Sunset Subdivision Assessment Area Map



Sunset Subdivision Roads



May 13, 2019

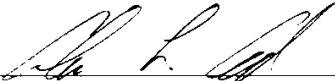
DISCUSSION AND POSSIBLE APPROVAL OF AN OFFER TO PURCHASE IRON COUNTY OWNED REAL PROPERTY INCLUDING LOTS 258-338 OF THE OF THE PARK VIEW SUBDIVISION, PHASE III-A (39 IN TOTAL), AND APN'S: A-963-1 AND A-962-2. NOTE: THIS DISCUSSION MAY BE CLOSED PER UCA § 52-4-205 (d) AS A STRATEGY SESSION TO DISCUSS THE PURCHASE EXCHANGE, OR LEASE OF REAL PROPERTY

Jon Whittaker explained that this was regarding the parcels that were taken off the Surplus List of Insignificant Real Parcels and added to the Surplus List of Significant Real Parcels, as an offer was made to purchase those parcels together.

Paul Cozzens made a motion to enter into a closed session per UCA § 52-4-205 (d) as a strategy session to discuss the purchase, exchange, or lease of real property. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, 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 purchase, exchange, or lease of real property.


Signed: Alma Adams, Chairman

Alma Adams, Iron County Commission Chair, declared the closed session closed. Alma explained that there was an offer of \$46,335 for the combined lots. Paul Cozzens made a motion to approve the offer to purchase Iron County owned Real Property removed from the Surplus List of Insignificant Real Property, including Lots 258 through 338 of the Park View Subdivision, Phase 3A, and APN's: A-963-1 and A-962-2 for the price of \$46,335. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A SINGLE EVENT PERMIT FOR I.G. WINERIES "2019 WINE COMPETITION" ON AUGUST 31ST

Symbria Patterson, representing Red Acre Farm, explained that I.G. Wineries was interested in holding a Festival over Labor Day week-end. There would be a "Farm to Fork" dinner in conjunction with the Festival. Symbria reported that the Winery requested it be held on her farm, which would require her to get local consent to be able to serve alcohol. Michael Bleak made a motion to approve a Single Event Permit for I.G. Wineries to hold the 2019 Wine Competition on August 31st at 2322 W 4375 North, Cedar City, Utah. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

CEDAR CITY HOSPITAL ANNUAL REPORT

Eric Packer, Cedar City Hospital Administrator, reported that the Wound Clinic had been renovated; upgrades were made to security and video; upgraded to LED lighting, added a Simply Birth Suite, and Tomosynthesis 3D mammograms. Jordan Merrill reported that some current projects were: Community health needs; assessment implementations on depression, high blood pressure, opioid misuse, prediabetes and suicide prevention; Connect Care kiosk at SUU, and expanded telehealth services. Jordan reported that Cedar City Hospital was a Top 20 Rural Hospital in the country, four years in a row; a Top 100 Community Hospital listed in Truven Health Analytics and a Top 100 Hospital listed in iVantage Health Analytics. Cedar City

Hospital has met all requirements for a Not-for-Profit Hospital. Mr. Merrill reported that there were 13,227 charity care patient visits in 2018. The Value-adjusted Charity Care was \$5,886,064.

DISCUSSION AND POSSIBLE APPROVAL TO HELP FUND THE IRON COUNTY "RURAL PLANNING ORGANIZATION" (RPO) FOR FISCAL YEAR 2020. THE PARTICIPATION AMOUNT FOR IRON COUNTY IS \$40,000

Alma Adams explained that this RPO was for roads. The Iron County Coordinating Council had met the previous week, which included all the Iron County Commissioners and Mayors. The RPO was approved by the Council of Governments, and the final approval comes from the Iron County Commission. The \$40,000 would come from the Corridor Preservation Fund. Michael Bleak made a motion to approve the funding to the Iron County RPO for Fiscal Year 2020 up to \$40,000, funded from the Corridor Preservation Fund. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT FOR PROFESSIONAL SERVICES WITH THE LAW FIRM "SMITH HARTVIGSEN, PLLC" FOR THE PREPARATION OF NECESSARY DOCUMENTS IN THE CREATION PROCESS OF ASSESSMENT AREAS IN IRON COUNTY

Alma Adams explained that when assessment areas were created it was necessary to have legal counsel to help with the process. Jon Whittaker noted that past relationships with Smith Hartvigsen, PLLC had been very positive for Iron County. Paul Cozzens made a motion to approve the contract for professional services with the law firm Smith Hartvigsen, PLLC for the preparation of necessary documents in the creation process of Assessment Areas in Iron County. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

Alma Adams, Iron County Commission Chair, declared the convening of the ICCD&RA.

DISCUSSION AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENTS FOR THREE PEAKS SOLAR AND QUICHAPA SOLAR

Danny Stewart explained that this was for a request of reimbursement for the Three Peaks Solar and Quichapa Solar projects. The agreements require the developers to meet the benchmarks in the participation agreement and have the request and paperwork showing they were meeting the requirements in by the April 1st deadline. Danny reported that Three Peaks Solar had an appeal in process with the Utah Tax Commission. The agreement states that the reimbursement would not be a reimbursement if there was an appeal. He reported that he had received notification from Three Peaks Solar that the appeal had been dropped. Danny requested that the reimbursement to Three Peaks Solar be approved contingent upon verification from the State Tax Commission confirming the appeal had been dropped. Michael Bleak made a motion to approve the Tax Increment Payments for Quichapa Solar and Three Peaks Solar, with payment to Three Peaks Solar be contingent upon verification from the State Tax Commission that the appeal had been dropped. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC HEARING REGARDING DRAFT PROJECT AREA PLANS AND DRAFT PROJECT AREA BUDGETS FOR THE COVE MOUNTAIN 1 SOLAR AND COVE MOUNTAIN 2 SOLAR COMMUNITY REINVESTMENT PROJECT AREAS (CRA)

Adam Long explained that Cove Mountain 1 Solar and Cove Mountain 2 Solar would be located next to each other approximately five miles SW of Newcastle. Cove Mountain 1 Solar was anticipated to be a 58 megawatt project with about \$64M in new investment. Cove Mountain 2 was anticipated to be a 122 megawatt project with about \$130M in new investment. Adam

explained that up to the year 2016, a Community Development Area (CDA) was used. After 2016 a Community Reinvestment Area (CRA) was used. A CRA has a mandatory housing allocation to set aside 10 percent to help with affordable housing in Iron County.

Alma Adams, Iron County Commission Chair, declared the public hearing regarding the Draft Project Area Plans and Budgets for the Cove Mountain 1 Solar and Cove Mountain Solar 2 Community Reinvestment Areas open. Mitch Taylor, Lead Solar developer for 1st Solar project, reported that this would be their first project in Utah. They were excited to work with Iron County. Adam Long noted that Iron County has been a good partner to work with. The solar process has produced \$720M of new incremental value, with an estimated 5.6M tax increment. Alma Adams declared the hearing closed.

ICCD&RA RESOLUTION 2019-2 ADOPTING A COMMUNITY REINVESTMENT PROJECT AREA PLAN FOR THE COVE MOUNTAIN SOLAR 1 COMMUNITY REINVESTMENT PROJECT AREA

Adam Long, counsel for the ICCD&RA, explained that agenda items 11 and 12 were the plans for justification of the solar projects. Agenda items 13 and 14 were the budgets for the projects. Paul Cozzens made a motion to approve ICCD&RA Resolution 2019-2, adopting a Community Reinvestment Project Area Plan for the Cove Mountain Solar 1 Community Reinvestment Project Area. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY RESOLUTION 2019-2

A RESOLUTION APPROVING AND ADOPTING THE COMMUNITY REINVESTMENT PROJECT AREA PLAN FOR THE COVE MOUNTAIN SOLAR 1 COMMUNITY REINVESTMENT PROJECT AREA.

Whereas, pursuant to the provisions of the Utah Limited Purpose Local Government Entities - Community Reinvestment Agency Act (the “**Act**”), specifically Utah Code Annotated (“UCA”) § 17C-5, the Iron County Community Development and Renewal Agency (the “**Agency**”) adopted a resolution on April 8, 2019, designating a survey area, which was to become the Cove Mountain Solar 1 Community Reinvestment Project Area (“**Project Area**”), and calling for the preparation of a project area plan and budget; and

Whereas, the draft Project Area Plan (the “**Draft Plan**”), having been prepared for the Project Area pursuant to UCA § 17C-5-105, the Agency held, on May 13, 2019, a duly noticed public hearing pursuant to UCA § 17C-5-104 to allow public comment on the Draft Plan and whether it should be revised, approved, or rejected; and to receive all written and hear all oral objections to the Draft Plan; and

Whereas, having received and heard all commentary on and objections, orally and in writing, to the Draft Plan 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 Plan as it deems appropriate, if any; and

Whereas, the Agency has made relevant findings concerning the amount of opposition, if any, to the Draft Plan by owners of real property within the Project Area.

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

1. Legal Description.

The boundaries of the Project Area are described in the Project Area Plan, attached hereto as **Exhibit A**.

2. The Agency's Purposes and Intent with Respect to the Project Area.

The purposes and intent of the Agency with respect to the Project Area 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 Area, 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 Area of a commercial development comprised of up-scale, reputable commercial concerns;

2.4. to stimulate the economy within the Project Area and in the surrounding area;

2.5. to provide for the installation of needed infrastructure, if and as necessary, for development within the Project Area;

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 Area (and, indirectly, of surrounding areas).

3. Designation, Adoption, and Incorporation of the Plan.

The Draft Plan for the Project Area (attached as **Exhibit A**) is hereby designated the *Official Plan for the Cove Mountain Solar 1 Community Reinvestment Project Area* (the "**Official Plan**"), and is incorporated herein by this reference.

The Agency hereby officially approves and adopts the Official Plan for the Cove Mountain Solar 1 Community Reinvestment Project Area.

4. Required Findings.

4.1. A need exists to effectuate a public purpose; to wit, the exercise of the statutorily enacted community reinvestment mechanism for the benefit of the citizens of Iron County.

4.2. Benefit to the public shall accrue from the execution of the Official Plan, as each project undertaken thereunder shall be subject to the analysis described in Utah Code § 17C-5-105(2).

4.3. The adoption and carrying out of the Official Plan is economically sound and feasible.

4.4. The Official Plan conforms to the County's General Plan.

4.5. Carrying out the Official Plan will promote the public peace, health, safety, and welfare of the Iron County and its residents.

5. Submission of the Official Plan to the Iron County Commission for Adoption by Ordinance.

5.1. Pursuant to Utah Code §§ 17C-5-104 & -109, the Agency Board hereby submits the Official Plan to the Iron County Commission for review and adoption.

6. Recording and Transmittal.

6.1. Pursuant to Utah Code § 17C-5-111, Agency Staff are hereby directed and authorized to take the following actions within 30 days after adoption of the Official Plan by the Iron County Commission:

a. to record with the Iron County Recorder a document containing a description of the land within the Project Area, a statement that the Official Plan for the Project Area has been adopted; and the date of its adoption by the Iron County Commission; and

b. to transmit a copy of the description of the land within the Project Area, a copy of the County 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.

7. Execution of the Plan.

7.1. Following adoption of the Official Plan by the Iron County Commission, the Agency shall proceed to carry out the Plan.

8. Directions to Agency Staff.

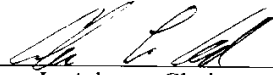
8.1. The Agency staff are hereby directed and authorized to take all such actions as necessary to effectuate the purposes and aims of this resolution.

9. Effective Date

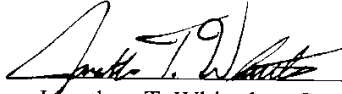
9.1. This Resolution shall take effect upon its adoption.

APPROVED AND ADOPTED on the 13th day of May, 2019.

**IRON COUNTY COMMUNITY
DEVELOPMENT AND
RENEWAL AGENCY**


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, Secretary

Voting by the Agency Board

	"Aye"	"Nay"
Alma L. Adams	<u>X</u>	_____
Michael P. Bleak	<u>X</u>	_____
Paul Cozzens	<u>X</u>	_____

**ICCD&RA RESOLUTION 2019-3 ADOPTING A COMMUNITY REINVESTMENT
PROJECT AREA PLAN FOR THE COVE MOUNTAIN SOLAR 2 COMMUNITY
REINVESTMENT PROJECT AREA**

Paul Cozzens made a motion to approve ICCD&RA Resolutions 2019-3 adopting a Community Reinvestment Project Area Plan for the Cove Mountain Solar 2 Community Reinvestment Project Area. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**IRON COUNTY COMMUNITY DEVELOPMENT AND
RENEWAL AGENCY RESOLUTION 2019-3**

A RESOLUTION APPROVING AND ADOPTING THE COMMUNITY REINVESTMENT PROJECT AREA PLAN FOR THE COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT PROJECT AREA.

Whereas, pursuant to the provisions of the Utah Limited Purpose Local Government Entities - Community Reinvestment Agency Act (the "**Act**"), specifically Utah Code Annotated ("**UCA**") § 17C-5, the Iron County Community Development and Renewal Agency (the "**Agency**") adopted a resolution on April 8, 2019, designating a survey area, which was to become the Cove Mountain Solar 2 Community Reinvestment Project Area ("**Project Area**"), and calling for the preparation of a project area plan and budget; and

Whereas, the draft Project Area Plan (the "**Draft Plan**"), having been prepared for the Project Area pursuant to UCA § 17C-5-105, the Agency held, on May 13, 2019, a duly noticed public hearing pursuant to UCA § 17C-5-104 to allow public comment on the Draft Plan and whether it should be revised, approved, or rejected; and to receive all written and hear all oral objections to the Draft Plan; and

May 13, 2019

Whereas, having received and heard all commentary on and objections, orally and in writing, to the Draft Plan 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 Plan as it deems appropriate, if any; and

Whereas, the Agency has made relevant findings concerning the amount of opposition, if any, to the Draft Plan by owners of real property within the Project Area.

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

10. Legal Description.

The boundaries of the Project Area are described in the Project Area Plan, attached hereto as **Exhibit A**.

11. The Agency's Purposes and Intent with Respect to the Project Area.

The purposes and intent of the Agency with respect to the Project Area are as follows:

11.1. 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 Area, 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;

11.2. 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;

11.3. to promote, encourage, and bring to fruition, the development within the Project Area of a commercial development comprised of up-scale, reputable commercial concerns;

11.4. to stimulate the economy within the Project Area and in the surrounding area;

11.5. to provide for the installation of needed infrastructure, if and as necessary, for development within the Project Area;

11.6. to take any or all additional steps which may be appropriate or necessary to promote or further the aim of improving the Project Area (and, indirectly, of surrounding areas).

12. Designation, Adoption, and Incorporation of the Plan.

The Draft Plan for the Project Area (attached as **Exhibit A**) is hereby designated the *Official Plan for the Cove Mountain Solar 2 Community Reinvestment Project Area* (the "**Official Plan**"), and is incorporated herein by this reference.

The Agency hereby officially approves and adopts the Official Plan for the Cove Mountain Solar 2 Community Reinvestment Project Area.

13. Required Findings.

13.1. A need exists to effectuate a public purpose; to wit, the exercise of the statutorily enacted community reinvestment mechanism for the benefit of the citizens of Iron County.

13.2. Benefit to the public shall accrue from the execution of the Official Plan, as each project undertaken thereunder shall be subject to the analysis described in Utah Code § 17C-5-105(2).

13.3. The adoption and carrying out of the Official Plan is economically sound and feasible.

13.4. The Official Plan conforms to the County's General Plan.

13.5. Carrying out the Official Plan will promote the public peace, health, safety, and welfare of the Iron County and its residents.

14. Submission of the Official Plan to the Iron County Commission for Adoption by Ordinance.

14.1. Pursuant to Utah Code §§ 17C-5-104 & -109, the Agency Board hereby submits the Official Plan to the Iron County Commission for review and adoption.

15. Recording and Transmittal.

15.1. Pursuant to Utah Code § 17C-5-111, Agency Staff are hereby directed and authorized to take the following actions within 30 days after adoption of the Official Plan by the Iron County Commission:

a. to record with the Iron County Recorder a document containing a description of the land within the Project Area, a statement that the Official Plan for the Project Area has been adopted; and the date of its adoption by the Iron County Commission; and

b. to transmit a copy of the description of the land within the Project Area, a copy of the County 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.

16. Execution of the Plan.

16.1. Following adoption of the Official Plan by the Iron County Commission, the Agency shall proceed to carry out the Plan.

17. Directions to Agency Staff.

17.1. The Agency staff are hereby directed and authorized to take all such actions as necessary to effectuate the purposes and aims of this resolution.

18. Effective Date

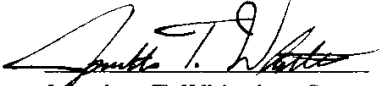
18.1. This Resolution shall take effect upon its adoption.

APPROVED AND ADOPTED on the 13th day of May, 2019.

**IRON COUNTY COMMUNITY
DEVELOPMENT AND
RENEWAL AGENCY**


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, Secretary

Voting by the Agency Board

	"Aye"	"Nay"
Alma L. Adams	<u>X</u>	<u> </u>
Michael P. Bleak	<u>X</u>	<u> </u>
Paul Cozzens	<u>X</u>	<u> </u>

**ICCD&RA RESOLUTION 2019-4 ADOPTING A COMMUNITY REINVESTMENT
PROJECT AREA BUDGET FOR THE COVE MOUNTAIN SOLAR 1 COMMUNITY
REINVESTMENT PROJECT AREA**

Paul Cozzens made a motion to approve ICCD&RA Resolutions 2019-4, adopting a Community Reinvestment Project Area Budget for the Cove Mountain Solar 1 Community Reinvestment Project Area. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**IRON COUNTY COMMUNITY DEVELOPMENT AND
RENEWAL AGENCY RESOLUTION 2019-4**

A RESOLUTION APPROVING AND ADOPTING THE COMMUNITY REINVESTMENT PROJECT AREA BUDGET FOR THE COVE MOUNTAIN SOLAR 1 COMMUNITY REINVESTMENT PROJECT AREA.

Whereas, pursuant to the provisions of the Utah Limited Purpose Local Government Entities - Community Reinvestment Agency Act (the "**Act**"), specifically Utah Code Annotated ("**UCA**") § 17C-5, the Iron County Community Development and Renewal Agency (the "**Agency**") adopted a resolution on April 8, 2019, designating a survey area, which was to become the Cove Mountain Solar 1 Community Reinvestment Project Area ("**Project Area**"), and calling for the preparation of a project area plan and budget; and

Whereas, pursuant to the provisions of the Utah Community Reinvestment Agency Act (the "**Act**"), specifically Utah Code Annotated ("**UCA**") § 17C-5, on May 13, 2019 the Agency

approved the Community Reinvestment Project Area Plan for the Project Area after holding a duly-noticed public hearing; and

Whereas, the Agency has prepared a Project Area Budget (the “**Budget**”) for the Project Area as required by the Act; and

Whereas, the Budget having been prepared for the Project Area pursuant to the Act, the Agency made the Budget publicly available and provided notice of the budget hearing as required by the Act; and

Whereas, the Agency held, on May 13, 2019, a duly-noticed public hearing pursuant to UCA § 17C-5-302 to allow public comment on the Budget and whether it should be revised, approved, or rejected, and to receive all written and hear all oral objections to the Budget; and

Whereas, having received and heard all commentary on and objections to the Budget 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 Budget as it deems appropriate, if any; and

Whereas, pursuant to UCA § 17C-5-304, the Budget remains subject to approval by the entities that levy taxes within the Project Area that enter into interlocal agreements with the Agency for the Project Area before the Agency may collect project area funds from the Project Area; and

Whereas the Agency now desires to formally adopt the Budget as the official budget for the Project Area.

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

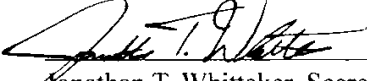
1. The Agency has received all comments and objections to the draft Budget.
2. The Budget attached hereto as **Exhibit A** is hereby adopted as the official budget for the Cove Mountain Solar 1 Community Reinvestment Project Area.
3. Agency staff are hereby authorized to take all actions necessary, including those actions required by UCA § 17C-5-305, to carry out the purposes of this resolution.
4. This resolution shall be effective upon adoption

APPROVED AND ADOPTED on the 13th day of May, 2019.

**IRON COUNTY COMMUNITY
DEVELOPMENT AND
RENEWAL AGENCY**


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, Secretary

Voting by the Agency Board

Alma L. Adams
Michael P. Bleak
Paul Cozzens

	"Aye"	"Nay"
	X	
	X	
	X	

**ICCD&RA RESOLUTION 2019-5 ADOPTING A COMMUNITY REINVESTMENT
PROJECT AREA BUDGET FOR THE COVE MOUNTAIN SOLAR 2 COMMUNITY
REINVESTMENT PROJECT AREA**

Paul Cozzens made a motion to approve ICCD&RA Resolutions 2019-5, adopting a Community Reinvestment Project Area Budget for the Cove Mountain Solar 2 Community Reinvestment Project Area. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**IRON COUNTY COMMUNITY DEVELOPMENT AND
RENEWAL AGENCY RESOLUTION 2019-5**

A RESOLUTION APPROVING AND ADOPTING THE COMMUNITY REINVESTMENT PROJECT AREA BUDGET FOR THE COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT PROJECT AREA.

Whereas, pursuant to the provisions of the Utah Limited Purpose Local Government Entities - Community Reinvestment Agency Act (the "**Act**"), specifically Utah Code Annotated ("**UCA**") § 17C-5, the Iron County Community Development and Renewal Agency (the "**Agency**") adopted a resolution on April 8, 2019, designating a survey area, which was to become the Cove Mountain Solar 2 Community Reinvestment Project Area ("**Project Area**"), and calling for the preparation of a project area plan and budget; and

Whereas, pursuant to the provisions of the Utah Community Reinvestment Agency Act (the "**Act**"), specifically Utah Code Annotated ("**UCA**") § 17C-5, on May 13, 2019 the Agency approved the Community Reinvestment Project Area Plan for the Project Area after holding a duly-noticed public hearing; and

Whereas, the Agency has prepared a Project Area Budget (the “**Budget**”) for the Project Area as required by the Act; and

Whereas, the Budget having been prepared for the Project Area pursuant to the Act, the Agency made the Budget publicly available and provided notice of the budget hearing as required by the Act; and

Whereas, the Agency held, on May 13, 2019, a duly-noticed public hearing pursuant to UCA § 17C-5-302 to allow public comment on the Budget and whether it should be revised, approved, or rejected, and to receive all written and hear all oral objections to the Budget; and

Whereas, having received and heard all commentary on and objections to the Budget 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 Budget as it deems appropriate, if any; and

Whereas, pursuant to UCA § 17C-5-304, the Budget remains subject to approval by the entities that levy taxes within the Project Area that enter into interlocal agreements with the Agency for the Project Area before the Agency may collect project area funds from the Project Area; and

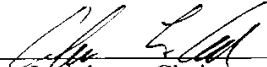
Whereas the Agency now desires to formally adopt the Budget as the official budget for the Project Area.

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

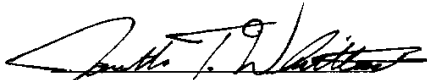
1. The Agency has received all comments and objections to the draft Budget.
2. The Budget attached hereto as **Exhibit A** is hereby adopted as the official budget for the Cove Mountain Solar 2 Community Reinvestment Project Area.
3. Agency staff are hereby authorized to take all actions necessary, including those actions required by UCA § 17C-5-305, to carry out the purposes of this resolution.
4. This resolution shall be effective upon adoption

APPROVED AND ADOPTED on the 13th day of May, 2019.

**IRON COUNTY COMMUNITY
DEVELOPMENT AND
RENEWAL AGENCY**


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, Secretary

Voting by the Agency Board

	“Aye”	“Nay”
Alma L. Adams	X	
Michael P. Bleak	X	
Paul Cozzens	X	

**ICCD&RA RESOLUTION 2019-6 APPROVAL OF THE INTERLOCAL AGREEMENT
BETWEEN THE ICCD&RA, IRON COUNTY, THE IRON COUNTY SCHOOL
DISTRICT, AND THE IRON COUNTY UNINCORPORATED AREA SERVICES
DISTRICT #2 (UASD#2) REGARDING THE COVE MOUNTAIN SOLAR 1 AND COVE
MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT PROJECT AREAS**

Adam Long explained the Interlocal Agreements were between the agency and tax entities. This would allow the agency to receive a portion of the tax increment generated to allow them to fund the reimbursement incentive to the developers to make the projects happen. Michael Bleak made a motion to approve ICCD&RA 2019-6 approving the Interlocal Agreement between the ICCD&RA, Iron County, Iron County School District, and the UASD#2 regarding the Cove Mountain Solar 1 and Cove Mountain Solar 2 Community Reinvestment Project Areas. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**IRON COUNTY COMMUNITY DEVELOPMENT AND
RENEWAL AGENCY RESOLUTION 2019-6**

A RESOLUTION APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND IRON COUNTY, THE IRON COUNTY SCHOOL DISTRICT, AND THE IRON COUNTY UNINCORPORATED AREA SERVICES DISTRICT #2 REGARDING THE COVE MOUNTAIN SOLAR 1 AND COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT 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, and the Iron County Unincorporated Area Services District #2, (the “**Taxing Entities**”) are “public agencies” for purposes of the Act; and

Whereas, the Agency has adopted Project Area Plans (the “**Plans**”) for the Cove Mountain Solar 1 and Cove Mountain Solar 2 Community Reinvestment Project Areas (the “**Project Areas**”); 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 each Project Area; and

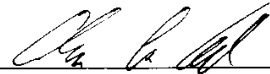
Whereas, Section 11-13-202.5 of the Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

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

1. The Interlocal Agreements with each Taxing Entity for each Project Area, substantially in the form attached hereto as **EXHIBIT A**, are approved and shall be executed by the Agency.
2. The Chair shall make such additions, changes, and emendations as the Chair deems necessary prior to the execution of the Interlocal Agreements.
3. Pursuant to Section 11-13-202.5 of the Act, each Interlocal Agreement has been submitted, or will be submitted prior to execution, 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 copy thereof shall be filed immediately with the keeper of records of the Agency.
4. Each Interlocal Agreement shall be effective on the date of publication of the notice required by Section 17C-5-205, Utah Code; such notice shall be published by the Agency on behalf of each Taxing Entity according to the terms of the Interlocal Agreements.
5. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED on the 13th day of May, 2019.

**IRON COUNTY COMMUNITY
DEVELOPMENT AND
RENEWAL AGENCY**


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, Secretary

Voting by the Agency Board	"Aye"	"Nay"
Alma L. Adams	X	_____
Michael P. Bleak	X	_____
Paul Cozzens	X	_____

**ICCD&RA RESOLUTION 2019-7 APPROVAL OF THE PARTICIPATION
AGREEMENTS FOR THE COVE MOUNTAIN SOLAR 1 AND COVE MOUNTAIN
SOLAR 2 COMMUNITY REINVESTMENT PROJECT AREAS**

Adam Long explained the participation agreement was between the agency and the developer. It sets the benchmark requirements and deadline for the reimbursement to the developer. Paul Cozzens made a motion to approve ICCD&RA Resolution 2019-7 approving the Participation Agreements for the Cove Mountain Solar 1 and Cove Mountain Solar 2 Community Reinvestment Project Areas. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**IRON COUNTY COMMUNITY DEVELOPMENT AND
RENEWAL AGENCY RESOLUTION 2019-7**

RESOLUTION APPROVING PARTICIPATION AGREEMENTS FOR THE COVE MOUNTAIN SOLAR 1 AND COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT 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 Reinvestment Agency Act (the "Act"), for the purpose of promoting project area development within the Agency boundaries; and

Whereas, under authority of the Act, the Agency created Cove Mountain Solar 1 and Cove Mountain Solar 2 Community Reinvestment Project Areas (the "Project Areas") and adopted a Plan and Budget 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 Cove Mountain Solar 1 LLC and Cove Mountain Solar 2 LLC (the "Participation Agreements") to be in harmony with and consistent with the Plans for the respective Project Areas 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:

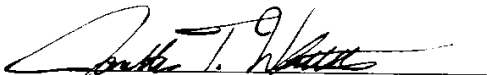
1. The Agency, having reviewed the matter, hereby approves the Participation Agreements attached hereto as **Exhibit A** and **Exhibit B** and authorizes the Chair and Secretary to execute the Participation Agreements on behalf of the Agency. The Participation Agreements are approved with such additions, 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 by the Iron County Community Development and Renewal Agency, this 13th day of May, 2019.


Alma L. Adams, Chair

Attest:


Jonathan T. Whittaker, Secretary

Voting by the Agency Board

Alma L. Adams
Michael P. Bleak
Paul Cozzens

"Aye"

"Nay"

X

X

X

ICCD&RA RESOLUTION 2019-8 APPROVAL OF THE INTERLOCAL AGREEMENT BETWEEN THE ICCD&RA, IRON COUNTY, THE IRON COUNTY SCHOOL DISTRICT, AND THE IRON COUNTY UNINCORPORATED AREA SERVICES DISTRICT #2 AND THE CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT REGARDING THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS

Adam Long explained that the Interlocal Agreement was for the Fremont Solar and Rush Lake Solar Community Development Areas. These solar projects were created in 2015 as a set of five by Sun Edison who later went bankrupt. The projects were never developed and fell apart. The Fremont Solar and Rush Lake Solar Community Development Areas have been picked up by a new developer, Long Road. Adam reported that the project areas had already been established and just the Interlocal Agreement needed to be approved. Michael Bleak made a motion to approve ICCD&RA Resolution 2019-8 approving the Interlocal Agreement between May 13, 2019

the ICCD&RA, Iron County, Iron County School District, the Iron County UASD#2, and the Central Iron County Water Conservancy District regarding the Fremont Solar and Rush Lake Solar Community Development Project Areas. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY RESOLUTION 2019-8

A RESOLUTION APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND IRON COUNTY, THE IRON COUNTY SCHOOL DISTRICT, THE IRON COUNTY UNINCORPORATED AREA SERVICES DISTRICT #2, AND THE CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT 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 Iron County Unincorporated Area Services District #2, and the Central Iron County Water Conservancy District (the “**Taxing Entities**”) are “public agencies” for purposes of the Act; and

Whereas, the Agency has adopted Project Area Plans (the “**Plans**”) for the Fremont Solar and Rush Lake Solar Community Development Project Areas (the “**Project Areas**”); 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 each 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.

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

1. The Interlocal Agreements with each Taxing Entity for each Project Area, substantially in the form attached hereto as **EXHIBIT A**, are approved and shall be executed by the Agency.
2. The Chair shall make such additions, changes, and emendations as the Chair deems necessary prior to the execution of the Interlocal Agreements.

3. Pursuant to Section 11-13-202.5 of the Act, each Interlocal Agreement has been submitted, or will be submitted prior to execution, 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 copy thereof shall be filed immediately with the keeper of records of the Agency.

4. Each Interlocal Agreement shall be effective on the date of publication of the notice required by Section 17C-5-205, Utah Code; such notice shall be published by the Agency on behalf of each Taxing Entity according to the terms of the Interlocal Agreements.

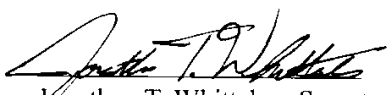
5. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED on the 13th day of May, 2019.

**IRON COUNTY COMMUNITY
DEVELOPMENT AND
RENEWAL AGENCY**


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, Secretary

Voting by the Agency Board

Alma L. Adams

Michael P. Bleak

Paul Cozzens

“Aye”

X

X

X

“Nay”

ICCD&RA RESOLUTION 2019-9 APPROVAL OF THE PARTICIPATION AGREEMENTS FOR THE FREMONT SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT AREAS

Adam Long explained these were the Participation Agreements and as a CDA did not include the mandatory housing agreement. Paul Cozzens made a motion to approve ICCD&RA Resolution 2019-9 approving the Participation Agreements for the Fremont Solar and Rush Lake Solar Community Development Project Areas. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY RESOLUTION 2019-9

RESOLUTION APPROVING PARTICIPATION AGREEMENTS FOR 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 Reinvestment Agency Act (the “Act”), for the purpose of promoting project area development within the Agency boundaries; and

Whereas, under authority of the Act, the Agency created 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;

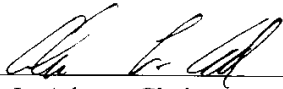
Whereas, the Agency finds the participation agreements between the Agency and Fremont Solar LLC and Rush Lake Solar LLC (the “Participation Agreements”) to be in harmony with and consistent with the Plans for the respective Project Areas and in the best interests of the Agency and Iron County.

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

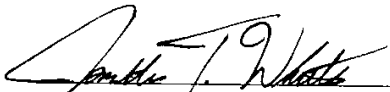
1. The Agency, having reviewed the matter, hereby approves the Participation Agreements attached hereto as **Exhibit A** and **Exhibit B** and authorizes the Chair and Secretary to execute the Participation Agreements on behalf of the Agency upon execution of all interlocal agreements for the Project Areas. The Participation Agreements are 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 by the Iron County Community Development and Renewal Agency, this 13th day of May, 2019.


Alma L. Adams, Chair

Attest:


Jonathan T. Whittaker, Secretary



Voting by the Agency Board

	“Aye”	“Nay”
Alma L. Adams	<u> X </u>	<u> </u>
Michael P. Bleak	<u> X </u>	<u> </u>
Paul Cozzens	<u> X </u>	<u> </u>

ICCD&RA RESOLUTION 2019-10, APPROVING A PARTICIPATION AGREEMENT FOR THE FIDDLERS CANYON SOLAR COMMUNITY REINVESTMENT PROJECT AREA

Adam Long explained that the Fiddlers Canyon Solar Community Reinvestment Project Area was a part of Sun Edison Phase I. Sun Edison failed to reach some of the benchmarks and did not receive their reimbursements. Sun Edison filed bankruptcy and the project was taken over. The project has already been approved and just the Participation Agreement needed approval. Michael Bleak made a motion to approve ICCD&RA Resolution 2019-10 approving the Participation Agreement for the Fiddlers Canyon Solar Community Reinvestment Project Area. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY RESOLUTION 2019-10

RESOLUTION APPROVING A PARTICIPATION AGREEMENT FOR THE FIDDLER’S CANYON SOLAR COMMUNITY REINVESTMENT PROJECT AREA.

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 Reinvestment Agency Act (the “**Act**”), for the purpose of promoting project area development within the Agency boundaries; and

Whereas, under authority of the Act, the Agency created Fiddler’s Canyon Solar Community Reinvestment Project Area (the “**Project Area**”) and adopted a Plan and Budget for the Project Area; and

Whereas, the Agency is authorized to enter into agreements with property owners, governmental entities, private entities and others;

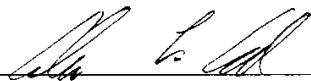
Whereas, the Agency finds the participation agreements between the Agency and the developer (the “**Participation Agreement**”) to be in harmony with and consistent with the Plans for the Project Area and in the best interests of the Agency and Iron County.

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

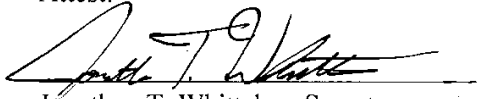
1. The Agency, having reviewed the matter, hereby approves the Participation Agreement attached hereto as **Exhibit A** and authorizes the Chair and Secretary to execute the Participation Agreement on behalf of the Agency upon execution of all interlocal agreements for the Project Area. The Participation 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 by the Iron County Community Development and Renewal Agency, this 13th day of May, 2019.



 Alma L. Adams, Chair

Attest:


 Jonathan T. Whittaker, Secretary

Voting by the Agency Board	“Aye”	“Nay”
Alma L. Adams	<u> X </u>	_____
Michael P. Bleak	<u> X </u>	_____
Paul Cozzens	<u> X </u>	_____

CONVENE AS THE IRON COUNTY UNINCORPORATED AREA SERVICE DISTRICT #2 (UASD#2)

Alma Adams, Iron County Commission Chair, declared the adjournment of the ICCD&RA and to convene as the UASD#2.

UASD#2 RESOLUTION 2019-1 APPROVAL OF THE INTERLOCAL AGREEMENTS BETWEEN THE ICCD&RA AND THE UASD#2 REGARDING THE COVE MOUNTAIN SOLAR 1 AND COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT PROJECT AREAS

Jon Whittaker explained that the commissioners signs the Resolutions as an agency then signs them as the Iron County Commission. Paul Cozzens made a motion to approve UASD#2 Resolution 2019-1 approving the Interlocal Agreements between the ICCD&RA and the UASD#2 regarding the Cove Mountain Solar 1 and Cove Mountain Solar 2 Community Reinvestment Project Areas. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**IRON COUNTY UNINCORPORATED AREA SERVICES
 DISTRICT #2 RESOLUTION 2019-1**

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 COVE MOUNTAIN SOLAR 1 AND COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT 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 the Iron County Unincorporated Area Services District #2, (the “**District**”) are “public agencies” for purposes of the Act; and

Whereas, the Agency has adopted Project Area Plans and Budgets (the “**Plans**” and “**Budgets**”) for the Cove Mountain Solar 1 and Cove Mountain Solar 2 Community Reinvestment Project Areas (the “**Project Areas**”); and

Whereas, after careful analysis and consideration of relevant information, the Agency desires to enter into interlocal agreements with the District (the “**Interlocal Agreements**”) whereby the District consents to the Agency receiving for an extended period of time a portion of the tax increment produced by the District’s levy on real and personal property within each 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.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE IRON COUNTY UNINCORPORATED AREA SERVICE DISTRICT #2 AS FOLLOWS:

1. The Interlocal Agreements for each Project Area, substantially in the form attached hereto as **EXHIBIT A**, are approved and shall be executed by the District.
2. The Chair shall make such additions, changes, and emendations as the Chair deems necessary prior to the execution of the Interlocal Agreements.
3. Pursuant to Section 11-13-202.5 of the Act, each Interlocal 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 copy thereof shall be filed immediately with the keeper of records of the District.
4. Each Interlocal Agreement shall be effective on the date of publication of the notice required by Section 17C-5-205, Utah Code; such notice shall be published by the Agency on behalf of each Taxing Entity according to the terms of the Interlocal Agreements.
5. This Resolution shall take effect upon adoption.

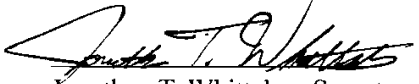
APPROVED AND ADOPTED on the 13th day of May, 2019.

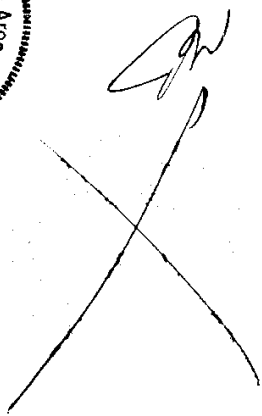


**IRON COUNTY
UNINCORPORATED AREA
SERVICES DISTRICT #2**


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, Secretary



Voting by the District Board

Alma L. Adams

Michael P. Bleak

Paul Cozzens

"Aye"

X

X

X

"Nay"

**UASD#2 RESOLUTION 2019-2 APPROVAL OF THE INTERLOCAL AGREEMENTS
BETWEEN THE ICCD&RA AND THE UASD#2 REGARDING THE FREMONT
SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT
AREAS**

Michael Bleak made a motion to approve UASD#2 Resolution 2019-2 approving the Interlocal Agreements between the ICCD&RA and the UASD#2 regarding the Fremont Solar and Rush Lake Solar Community Development Project Areas. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**IRON COUNTY UNINCORPORATED AREA SERVICES
DISTRICT #2 RESOLUTION 2019-2**

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 the Iron County Unincorporated Area Services District #2, (the “**District**”) are “public agencies” for purposes of the Act; and

Whereas, the Agency has adopted Project Area Plans for the Fremont Solar and Rush Lake Solar Community Reinvestment Project Areas (the “**Project Areas**”); and

Whereas, after careful analysis and consideration of relevant information, the Agency desires to enter into interlocal agreements with the District (the “**Interlocal Agreements**”) whereby the District consents to the Agency receiving for an extended period of time a portion of the tax increment produced by the District’s levy on real and personal property within each Project Area; and

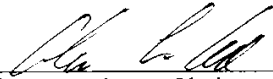
Whereas, Section 11-13-202.5 of the Act requires that certain interlocal agreements be approved by resolution of the legislative body of a public agency.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE IRON COUNTY UNINCORPORATED AREA SERVICE DISTRICT #2 AS FOLLOWS:

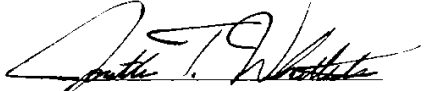
1. The Interlocal Agreement for each Project Area, substantially in the form attached hereto as **EXHIBIT A**, are approved and shall be executed by the District.
2. The Chair shall make such additions, changes, and emendations as the Chair deems necessary prior to the execution of the Interlocal Agreements.
3. Pursuant to Section 11-13-202.5 of the Act, each Interlocal 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 copy thereof shall be filed immediately with the keeper of records of the District.
4. Each Interlocal Agreement shall be effective on the date of publication of the notice required by Section 17C-5-205, Utah Code; such notice shall be published by the Agency on behalf of each Taxing Entity according to the terms of the Interlocal Agreements.
5. This Resolution shall take effect upon adoption.

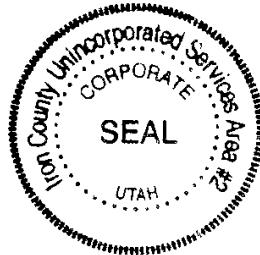
APPROVED AND ADOPTED on the 13th day of May, 2019.

**IRON COUNTY
UNINCORPORATED AREA
SERVICES DISTRICT #2**


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, Secretary



Voting by the District Board

Alma L. Adams
Michael P. Bleak
Paul Cozzens

“Aye” **“Nay”**

X	_____
X	_____
X	_____

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared to adjourn as the UASD#2 and to reconvene as the Iron County Commission.

ORDINANCE 2019-5 ADOPTING THE PROJECT AREA PLAN FOR THE COVE MOUNTAIN SOLAR 1 COMMUNITY REINVESTMENT PROJECT AREA

Adam Long explained that Iron County would now approve the Ordinances for the Solar Project Areas. Paul Cozzens made a motion to approve Ordinance 2019-5 adopting the Project Area Plan for the Cove Mountain Solar 1 Community Reinvestment Project Area. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY ORDINANCE 2019-5

AN ORDINANCE ADOPTING THE PROJECT AREA PLAN FOR THE COVE MOUNTAIN SOLAR 1 COMMUNITY REINVESTMENT PROJECT AREA, AS APPROVED BY THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, AS THE OFFICIAL COMMUNITY REINVESTMENT PROJECT AREA PLAN FOR THE PROJECT AREA.

Whereas, the Iron County Community Development and Renewal Agency (the “Agency”), having prepared the Project Area Plan (the “Plan”) for the Cove Mountain Solar 1 Community Reinvestment Project Area (the “Project Area”) pursuant to Utah Code Annotated (“UCA”) § 17C-5, has adopted on this same date the Plan as the Official Community Reinvestment Project Area Plan for the Project Area; and

Whereas, Section 17C-5-109 of the Utah Limited Purposes Local Government Entities – Community Reinvestment Agency Act (the “Act”) mandates that, before a community reinvestment project area plan approved by an agency under UCA § 17C-5 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 reinvestment project area plan under UCA § 17C-5-110.

NOW, THEREFORE, BE IT ORDAINED BY THE IRON COUNTY COMMISSION AS FOLLOWS:

1. The Iron County Commission hereby adopts and designates the Plan for the Cove Mountain Solar 1 Community Reinvestment Project Area, as approved by the Agency on this same date, as the official plan (the “Official Plan”) for the Project Area, the respective boundaries of which are shown and described on the legal descriptions and map attached hereto as **Exhibit A** 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-5-110, whereupon the Official Plan shall become effective under UCA § 17C-5-110.

3. Pursuant to the Act, the Agency may proceed to carry out the Official Plan as soon as it becomes effective.

4. This ordinance takes effect immediately upon publication and recording.


DATED this 13th day of May, 2019.

BY THE IRON COUNTY COMMISSION:

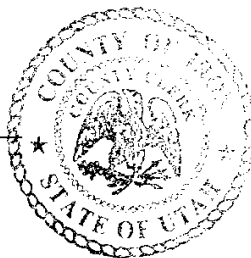


Alma L. Adams, Chair

ATTEST:



Jonathan T. Whittaker, County Clerk



Voting:

Alma L. Adams Aye
Michael P. Bleak Aye
Paul Cozzens Aye

May 13, 2019

ORDINANCE 2019-6 ADOPTING THE PROJECT AREA PLAN FOR THE COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT PROJECT AREA

Michael Bleak made a motion to approve Ordinance 2019-6 adopting the Project Area Plan for the Cove Mountain Solar 2 Community Reinvestment Project Area. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY ORDINANCE 2019-6

AN ORDINANCE ADOPTING THE PROJECT AREA PLAN FOR THE COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT PROJECT AREA, AS APPROVED BY THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, AS THE OFFICIAL COMMUNITY REINVESTMENT PROJECT AREA PLAN FOR THE PROJECT AREA.

Whereas, the Iron County Community Development and Renewal Agency (the “Agency”), having prepared the Project Area Plan (the “Plan”) for the Cove Mountain Solar 2 Community Reinvestment Project Area (the “Project Area”) pursuant to Utah Code Annotated (“UCA”) § 17C-5, has adopted on this same date the Plan as the Official Community Reinvestment Project Area Plan for the Project Area; and

Whereas, Section 17C-5-109 of the Utah Limited Purposes Local Government Entities – Community Reinvestment Agency Act (the “Act”) mandates that, before a community reinvestment project area plan approved by an agency under UCA § 17C-5 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 reinvestment project area plan under UCA § 17C-5-110.

NOW, THEREFORE, BE IT ORDAINED BY THE IRON COUNTY COMMISSION AS FOLLOWS:

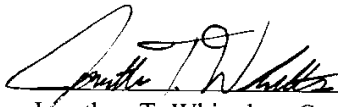
1. The Iron County Commission hereby adopts and designates the Plan for the Cove Mountain Solar 2 Community Reinvestment Project Area, as approved by the Agency on this same date, as the official plan (the “Official Plan”) for the Project Area, the respective boundaries of which are shown and described on the legal descriptions and map attached hereto as **Exhibit A** 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-5-110, whereupon the Official Plan shall become effective under UCA § 17C-5-110.
3. Pursuant to the Act, the Agency may proceed to carry out the Official Plan as soon as it becomes effective.
4. This ordinance takes effect immediately upon publication and recording.

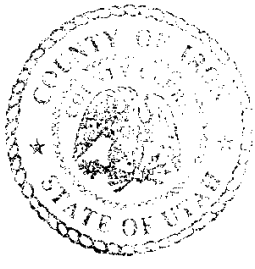
DATED this 13th day of May, 2019.

BY THE IRON COUNTY COMMISSION:


Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, County Clerk



Voting:

Alma L. Adams Aye
Michael P. Bleak Aye
Paul Cozzens Aye

**RESOLUTION 2019-2 APPROVAL OF THE INTERLOCAL AGREEMENTS
BETWEEN THE ICCD&RA AND IRON COUNTY REGARDING THE COVE
MOUNTAIN SOLAR 1 AND COVE MOUNTAIN SOLAR 2 COMMUNITY
REINVESTMENT PROJECT AREAS**

Paul Cozzens made a motion to approve Resolution 2019-2 approving the Interlocal Agreements between the ICCD&RA and Iron County regarding the Cove Mountain Solar 1 and Cove Mountain Solar 2 Community Reinvestment Project Areas. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY RESOLUTION 2019-2

A RESOLUTION APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND IRON COUNTY REGARDING THE COVE MOUNTAIN SOLAR 1 AND COVE MOUNTAIN SOLAR 2 COMMUNITY REINVESTMENT 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 “**County**”) are “public agencies” for purposes of the Act; and

Whereas, the Agency has adopted Project Area Plans and Budgets (the “**Plans**” and “**Budgets**”) for the Cove Mountain Solar 1 and Cove Mountain Solar 2 Community Reinvestment Project Areas (the “**Project Areas**”); and

Whereas, after careful analysis and consideration of relevant information, the Agency desires to enter into interlocal agreements with the County (the “**Interlocal Agreements**”) whereby the County consents 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 each 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.

THEREFORE, BE IT RESOLVED BY THE IRON COUNTY COMMISSION AS FOLLOWS:

1. The Interlocal Agreements for each Project Area, substantially in the form attached hereto as **EXHIBIT A**, are approved and shall be executed by the County.
2. The Chair shall make such additions, changes, and emendations as the Chair deems necessary prior to the execution of the Interlocal Agreements.
3. Pursuant to Section 11-13-202.5 of the Act, each Interlocal 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 copy thereof shall be filed immediately with the keeper of records of the County.
4. Each Interlocal Agreement shall be effective on the date of publication of the notice required by Section 17C-5-205, Utah Code; such notice shall be published by the Agency on behalf of each Taxing Entity according to the terms of the Interlocal Agreements.
5. This Resolution shall take effect upon adoption.

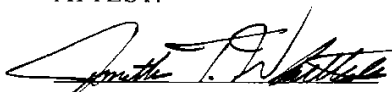
APPROVED AND ADOPTED on the 13th day of May, 2019.

IRON COUNTY

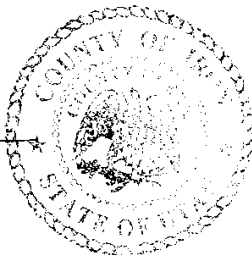


 Alma L. Adams, Commission Chair

ATTEST:



 Jonathan T. Whittaker, Clerk



Voting by the Commission

	“Aye”	“Nay”
Alma L. Adams	<u> X </u>	_____
Michael P. Bleak	<u> X </u>	_____
Paul Cozzens	<u> X </u>	_____

**RESOLUTION 2019-3 APPROVAL OF THE INTERLOCAL AGREEMENTS
BETWEEN THE ICCD&RA AND IRON COUNTY REGARDING THE FREEMONT
SOLAR AND RUSH LAKE SOLAR COMMUNITY DEVELOPMENT PROJECT
AREAS**

Michael Bleak made a motion to approve the Interlocal Agreements between the ICCD&RA and Iron County regarding the Fremont Solar and Rush Lake Solar Community Development Project Areas. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY RESOLUTION 2019-3

A RESOLUTION APPROVING INTERLOCAL AGREEMENTS BETWEEN THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AND IRON COUNTY REGARDING THE FREEMONT 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 “County”) are “public agencies” for purposes of the Act; and

Whereas, the Agency has adopted Project Area Plans for the Fremont Solar and Rush Lake Solar Community Development Project Areas (the “Project Areas”); and

Whereas, after careful analysis and consideration of relevant information, the Agency desires to enter into interlocal agreements with the County (the “Interlocal Agreements”) whereby the County consents 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 each 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.

THEREFORE, BE IT RESOLVED BY THE IRON COUNTY COMMISSION AS FOLLOWS:

1. The Interlocal Agreements for each Project Area, substantially in the form attached hereto as **EXHIBIT A**, are approved and shall be executed by the County.
2. The Chair shall make such additions, changes, and emendations as the Chair deems necessary prior to the execution of the Interlocal Agreements.
3. Pursuant to Section 11-13-202.5 of the Act, each Interlocal 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 copy thereof shall be filed immediately with the keeper of records of the County.

4. Each Interlocal Agreement shall be effective on the date of publication of the notice required by Section 17C-5-205, Utah Code; such notice shall be published by the Agency on behalf of each Taxing Entity according to the terms of the Interlocal Agreements.


5. This Resolution shall take effect upon adoption.

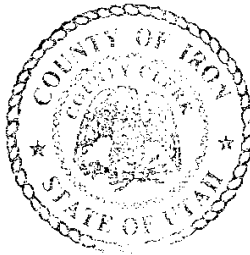
APPROVED AND ADOPTED on the 13th day of May, 2019.

IRON COUNTY


Alma L. Adams, Commission Chair

ATTEST:


Jonathan T. Whittaker, Secretary



Voting by the Commission

	"Aye"	"Nay"
Alma L. Adams	<u> X </u>	<u> </u>
Michael P. Bleak	<u> X </u>	<u> </u>
Paul Cozzens	<u> X </u>	<u> </u>

DISCUSSION AND POSSIBLE APPROVAL OF A SETTLEMENT AGREEMENT REGARDING TREE REMOVAL IN THE CROSS HOLLOWES SUBDIVISION

Mike Edwards explained that the terms of the settlement were agreed upon by a representative from Iron County and one from the Cross Hollowes Subdivision who would identify dead trees that require removal. Mike Bleak reported that he had talked to Ryan Riddle and he was ready for the removal and disposal of the trees. Paul Cozzens made a motion to approve a Settlement Agreement regarding tree removal in the Cross Hollowes Subdivision. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE UTAH DIVISION OF EMERGENCY MANAGEMENT REGARDING "STATE STAGING AREAS" AND THE "RESOURCE INVENTORY/TRACKER" PORTION OF WebEOC

George Colson, Emergency Management Director, reported that this was a standard MOU between the State and Iron County. In case of a major disaster the State could bring down any kind of resources. It would allow them access to any of Iron County Staging Areas and for Iron County to provide them with working areas with their teams. The state would take inventory of items used for reimbursement to Iron County. This was a renewal MOU. George reported that he was in the process of identifying Staging Areas in Iron County. Michael Bleak made a motion to approve the Memorandum of Understanding with the Utah Division of Emergency Management regarding State Staging Areas and the Resource Inventory/Tracker portion of

WebEOC. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RATIFICATION OF VEHICLE TRANSFERS FROM THE IRON COUNTY SHERIFF'S DEPARTMENT

Jon Whittaker explained that there had been two vehicle transfers: a 2010 Ford F150 went to the Jail; and a 2010 Ford F150 went to the Road Department. The transfers were recognized by the Iron County Auditor and would need to be ratified if approved by the commissioners. Paul Cozzens made a motion to approve the vehicle transfers from the Iron County Sheriff's Department as explained. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT FOR LANDSCAPING AND CONCRETE SIDEWALK FOR THE IRON COUNTY VISITORS CENTER

Lester Ross reported that there were three bids submitted for landscaping and concrete sidewalk for the Iron County Visitor Center. Lester reported that MJ's bid was \$27,767. McArthur Landscaping \$15,972.84, and Platt Lawn Care \$16,250. There was a revised proposal of forgotten items from McArthur Landscaping for \$17,272.84 and Platt Lawn Care for \$17,150. He proposed to award the contract to low bidder Platt Lawn Care for a total of \$17,150. There would be a 10 percent Contingency included for a budget total of \$18,865. Funding would come from the Transient Room Tax fund. Michael Bleak made a motion to award Platt Lawn Care the contract for the Landscaping and Concrete Sidewalk of the Iron County Visitors Center. Bid amount was \$17,150 plus a 10 percent contingency in the amount of \$1,715 for a total budget of \$18,865. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

REVIEW AND POSSIBLE APPROVAL OF THE SURPLUS LIST OF INSIGNIFICANT REAL PARCELS

Jon Whittaker presented an updated Surplus List of Insignificant Real Parcels. Paul Cozzens made a motion to approve the Surplus List of Insignificant Real Parcels as presented by Jon Whittaker. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker, Iron County Human Resource (HR) Director, presented Kyle Adams for a promotion from Appraiser Apprentice to Licensed Appraiser with the corresponding 5 percent pay increase in the Assessor's Office, effective May 5th. Adrion presented Fiapule Tufuga for promotion from Deputy I to Deputy II with the corresponding 5 percent pay increase in the Corrections Department, effective May 5th. Adrion presented Sandra Capps for a promotion from Secretary I to Secretary II with the corresponding 5 percent pay increase in the Corrections Department, effective May 19th. Michael Bleak made a motion to approve the promotions of Kyle Adams, Fiapule Tufuga and Sandra Capps with the corresponding 5 percent pay increases. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion Walker presented new hire Corey Ercanbrack as a Building Inspector/Zoning Officer in the Building and Zoning Department, effective date May 5th. This would be a backfill of a vacant position. Adrion presented new hire Jill Davenport as Secretary I in the Corrections Department, effective May 20th. This would be a backfill of a vacant position. Adrion presented new hire Coty Christensen as a Landfill Technician in the Landfill Department, effective May 20th. This would be a backfill of a vacant position. Paul Cozzens made a motion to approve the new hires of Corey Ercanbrack, Jill Davenport and Coty Christensen. Noting all the positions were backfills of vacant positions. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion Walker reported that the USU Extension had hired Ashley Tullis as an Extension Secretary. This was not an Iron County position and did not require approval by the commissioners.

Adrion Walker reported that there was a change in the Grievance and Appeal Procedures, Section 8 of the Iron county Personnel Policy. He reported that the Career Service Council would be replaced with an Administrative Law Judge to handle the appeal process. He reported that he went through Section 8 to clean up wording. Adrion noted although there was a change in wording, the policy would stay the same. Michael Bleak made a motion to approve the amended changes in the Personnel Policy, Section 8 Grievance and Appeals as presented by Adrion Walker. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

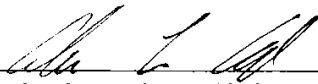
NON-DELEGATED ITEMS

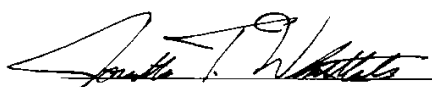
COUNTY BOARDS

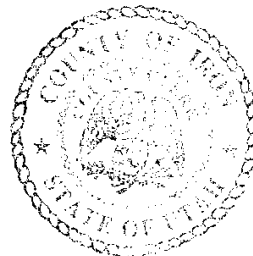
Alma Adams made a motion to approve Lee Hulet as a member of the Weed Board. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye. Alma noted that Glen Haltermans name was absent on the Weed Board and would need to be added. Alma Adams made a motion to retain Kim Evans and Brandon Hunter for another term on the ICSSD#3 Administrative Control Board. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye. Alma Adams made a motion to approve Pat Tompkins, Megan Bailey, Ashley Christensen, Jill Schill, Paula Hein, Kay Dawn Mar, and Laurie Rigby to be on the Bookmobile Library Board. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye. Michael Bleak made a motion to approve Dolly Truija-Wearn as a member of the Restaurant Tax Board. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.


Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk



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**IRON COUNTY COMMISSION MEETING
MAY 28, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 28, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
George Colson	County Emergency Mgmt
Steve Platt	County Engineer
Adrion Walker	County Human Resource Director
Chad Nay	County Planning & Zoning
Reed Erickson	County Services Coordinator

SYNOPSIS

ADJOURNMENT	5
APPROVAL OF MINUTES	2
DEPARTMENTAL REPORTS.....	2
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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Adrion Walker.

INVOCATION

An invocation was offered by Michael Bleak.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meetings held April 8th and April 22nd. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Jon Whittaker, Iron County Clerk, reported the budget was on track. Jon reported that the office ran out of the Marriage License/Certificate books and he had to order more. The books ended up costing more than anticipated and he had to spread that cost to different areas in the Clerk budget. Municipal Elections would be held this year. The Primary Election would be held in August and the General Election in November. He reported that Merilee Wilson was the new Deputy Clerk and was fitting in well. Lester Ross and Nate Dennett would be building shelves for the Clerks vault.

Adrion Walker, Iron County Human Resource (HR) Director, reported the budget was on track. Adrion reported on the hiring for various positions in different departments within Iron County. They were currently working on updating the Sheriff Office Department Roster. The employee turnover was at 1.75 percent for the First Quarter of 2019. This was the lowest percentage recorded for the First Quarter. He reported that they were working with Gallager Representatives to schedule Biometric Health Screening for Iron County employees. There would be a financial incentive for the employee to receive \$50 if they took part in the screening. Adrion reported that the Public Defender report showed everything was running smoothly. They were in the middle of the grant process. The Grant Committee would be making their recommendations by the end of the week. Paul Cozzens reported that he was unhappy with the Roster for Indigent Appeals not having Attorney's from Iron County on the list. Two Iron County Attorneys have applied twice and had been rejected both times. St. George only had one Attorney on the list and most of the Attorneys were from the Northern part of Utah. Michael Bleak noted that he was on the State Indigent Defense Board who handled Capital Cases. Another board handled the Non-capital Cases and the roster selection. Mike explained that the roster selection was discussed and was pretty much told to "live with it." He said that he would try to get a meeting with the Roster Board. Adrion reported that the Court contracts were current. The 5th District Court would renew on January 1st and the Juvenile Justice Court would renew on July 1st. Three months prior to the renewals they would be contacting current contract holders to determine their intent to continue. There would most likely be increases on the tracking reports due to caseload, hours and contracts. Adrion reported that Iron County does an excellent job in keeping costs down.

George Colson, Iron County Emergency Management Coordinator, reported that the budget was on track. The largest item concern on the budget was in the Communications Alert System. Last year budgeted at 21K and he lowered it to 18K for the current budget. Everbridge had an increase of \$1,650 due to population and normal operating cost increase. There would now need to be a line adjustment on the current budget. George reported that the 2016 State Homeland Security Program Grant would close out in June. There was \$265 remaining. He reported that he purchased a Satellite Phone for Brian Head costing approximately \$5k in grant money. He also purchased sand bags and supplies for possible flooding in Iron County. The bags have been filled and were ready for anyone who might need them. George closed reporting that he was reconstituting the Training & Exercise Committee.

Michael Bleak, Iron County Commissioner, reported that the CJC Fun Run Fund Raiser, for public awareness of child abuse, was held on the 18th. The theme was the "80's" and there were some colorful participants and workers. There were over 300 participants, which was an increase from last year. The event brings the opportunity to increase awareness and to talk about the challenges the CJC faces.

Paul Cozzens, Iron County Commissioner, reported that he went on the Enterprise & Iron (E&I) Conservation District Tour to observe the water pivots. He went with Paul Briggs, from the BLM, to follow the pipeline route.

Alma Adams, Iron County Commissioner, reported that he attended the Western Interstate Region (WIR) Conference in Spokane, Washington. They were taken to the local landfill where they incinerate the waste. It cost \$107 per ton where Iron County is \$22. They were taken to a private Fire Airbase. The specific aircraft for fighting fires were approximately \$32M in cost, called "Super-scoopers." They would scoop up water from lakes and drop it on a fire. There were many good classes offered regarding public lands. Cindy Bulloch reported that it would be good for Southern Utah to have local Mark Whitney (Beaver County Commissioner) in the WIR leadership. Alma reported that Mark was the new 2nd Vice President in the WIR.

PUBLIC COMMENTS

Dustin Langston, a resident of Iron County, questioned if there had been a reassessment of the need of the Belt Way, and if Alton Coal was pushing for the Belt Way. Alma Adams reported that with Alton Coal coming in and the growth of Iron County presented a need for the Belt Way. It would help with congestion in Cedar valley. Dustin expressed that the Belt Way would be helpful for other companies as well. Paul Cozzens reported that the easements would need to be established. Alma reported that there was no need for "eminent domain" to be used during the process.

DISCUSSION REGARDING THE CEDAR VALLEY BELT ROUTE ALIGNMENT AS RECOMMENDED BY HORROCKS ENGINEERING, THE IRON COUNTY TRANSPORTATION RURAL PLANNING ORGANIZATION, AND THE IRON COUNTY PLANNING COMMISSION. REVIEW OF A POTENTIAL DATE FOR A PRESENTATION BY THE CONSULTANT, AND A PUBLIC HEARING, TENTATIVELY JUNE 10TH. NO ACTION REQUIRED

Reed Erickson, Iron County Planning & Zoning Planner, explained that on June 10th a Public Hearing would be held during the Iron County Commission meeting. Horrocks Engineering consultant, Aaron Baker, would be at the meeting to help answer any questions. There would be an email sent out to anyone who had questions about the Belt Route so they could attend. Reed reported that this was a long term process and not a result of Alton Coal wanting another route to the mine. He was hopeful that funding would come from the Community Impact Board (CIB). It was not planned for a coal route but for growth in Iron County. The Belt Route Alignment has been presented to the Planning Commission and the Rural Planning Transportation Organization. Both agreed with the alignment. The Belt Route Alignment was not set in stone, but it would establish a preferred corridor. Reed reported that there was an Interactive Map available on the Iron County Website that was presented an over-fly of the proposed route.

PUBLIC HEARING AND POSSIBLE APPROVAL OF A ZONE CHANGE FROM INDUSTRIAL I TO A-20, 148.56 ACRES IN THE S ½ SECTION 28, T23S, R13W, SLB&M. LOCATED AT APPROXIMATELY 11900 WEST HWY 56, CEDAR CITY. RECOMMENDED FOR APPROVAL BY THE IRON COUNTY PLANNING COMMISSION

Reed Erickson explained the request for the Zone change from I to A-20 was located at approximately 11900 W Hwy 56. There were parcels that were listed as Industrial that already had homes located on them. It was originally zoned Industrial because of the mine, which was no longer in use. The Planning Commission recommended that the 7 parcels be changed to R-20.

Alma Adams, Iron County Commission Chair, declared a public hearing regarding the Zone change from I to A-20 open. Not comments were offered. Alma Adams declared the public hearing closed. Paul Cozzens made a motion to approve the Zone change from I to A-20 as presented. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC HEARING AND POSSIBLE APPROVAL OF A ZONE CHANGE FROM R-5 TO COMMERCIAL (C), 4.01 ACRES IN THE SW ¼, SECTION 27, T35S, R11W, SLB&M. LOCATED AT APPROXIMATELY 3169 NORTH BULLDOG RD, CEDAR CITY. RECOMMENDED FOR APPROVAL BY THE IRON COUNTY PLANNING COMMISSION

Reed Erickson explained the Zone change from R-5 to C was located at approximately 3169 N Bulldog Rd, Cedar City. The property was within the airport overlay and residential was not allowed at any higher density than North of 3000 and 1.5 acres. The most benefit would be to have the property changed to Commercial.

Alma Adams, Iron County Commission Chair, declared a public hearing regarding the Zone change from R-5 to Commercial open. No comments were offered. Alma Adams declared the public hearing closed. Michael Bleak made a motion to approve the Zone change from R-5 to Commercial as presented. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A LOCAL CONSENT FOR A FULL-SERVICE RESTAURANT LIQUOR LICENSE. LOCATED AT 3052 NORTH IRON SPRINGS RD, CEDAR CITY

Jon Whittaker explained that Bowman Cowboy Kitchen, LLC would be serving alcohol and were requesting approval for a full-time Service Restaurant Liquor License. Paul Cozzens made a motion to approve a Full-time Service Restaurant Liquor License for Bowman Cowboy Kitchen, LLC. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker, Iron County Human Resource (HR) Director, presented the new hire of Trevor McNeil as a Corrections Deputy, in the Corrections Department, effective June 2nd for approval. This was a backfill of a vacant position. Adrion Walker presented the new hire of Bradden Beaumont as a Seasonal Outdoor Maintenance Technician, in the Natural Resource Department, effective June 3rd for approval. This was a new budgeted seasonal position for approximately 3 months. Mike Worthen explained the position was to help mark OHV trails, install kiosks, picnic tables, and trim trails. Michael Bleak made a motion to approve the new hires of Trevor McNeil and Bradden Beaumont as presented. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion Walker presented Teresa Caldwell for a promotion to Deputy Assessor for completing the training of Personal Property Specialist, in the Assessor's Office, and corresponding 5 percent pay increase, effective May 19. Adrion Walker presented Caleb Anderson for a promotion to Interim Sergeant and corresponding 5 percent pay increase, in the Sheriff Department, effective date May 19th. Adrion explained this was due to the retirement of Sgt. Johnson. Paul Cozzens made a motion to approve the promotions of Teresa Caldwell and Caleb Anderson as presented. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.


Adrion explained that the Personnel Policy, Section 41 Peace Officers Standards and Training (POST), was in need of an update due to current operations for transportation, meal reimbursement, and time accounting. Adrion presented the changes that would update with the current Sheriff Office practices. Michael Bleak made a motion to approve the Amended Personnel Policy, Section 41 POST as presented. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

CONSIDERATION AND POSSIBLE APPROVAL OF AN OFFER TO PURCHASE IRON COUNTY OWNED REAL PROPERTY. NOTE: PART OF THE DISCUSSION MAY BE CLOSED PER UCA § 52-4-205 (d), AS A STRATEGY SESSION TO DISCUSS THE PURCHASE EXCHANGE, OR LEASE OF REAL PROPERTY

Paul Cozzens made a motion to enter into a closed session regarding strategy regarding the purchase, exchange, or lease of real property in accordance with UCA §52-4-205(d) regarding an offer to purchase Iron County owned Real Property. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, 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) regarding the purchase, exchange, or lease of real property.



Signed: Alma Adams, Chairman


Alma Adams, Iron County Commission Chair, declared the closed session adjourned. Alma reported that there was a full appraised cash offer, and they would allow the current Iron County Employee to stay. Michael Bleak made a motion to accept the full appraised cash offer to purchase the Fiddlers Canyon Building pending paper work. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS


No Non-Delegated items were discussed.

ADJOURNMENT

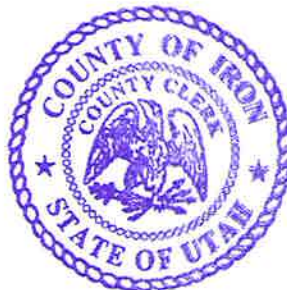
Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

June 10, 2019

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 10, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

E. Michael Edwards	Deputy County Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director
Steve Platt	County Engineer
Ken Carpenter	County Sheriff

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by George Colson.

INVOCATION

An invocation was offered by G'Ne Bartholomew.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held April 22, 2019. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Joanna Cuthers, Iron County Corrections Commander, reported that the budget was on track. Total bookings were up from the 1st Quarter of 319 and 2nd Quarter was at 435. Joanna reported that there were currently 10 state inmates and 19 federal inmates. The work crew was once again operational, and was working on the Animal Shelter, the Search & Rescue Building and the Beryl Substation. She reported that there were two vacancies for officers in Corrections. Jill Davenport was hired as the new Corrections Secretary. Commander Cuthers reported that the remodel of the day room was nearly complete. There were two Southern Utah University (SUU) interns serving from March to May, and doing mostly clerical work. Michael Bleak expressed how much he appreciated the leadership and the level of organization that Commander Cuthers performs for the county.

Kenneth K. Carpenter, Iron County Sheriff, reported that the Sheriff budget was on track. Sheriff Carpenter reported that current Law Enforcement issues since January were: Case numbers year to date (YTD) were 1,496; calls YTD were 5,603; assisted with a stabbing investigation in Enoch City; storage unit burglaries; a trend in UHV/OHV thefts; drugs, most of the crimes were associated with drugs; weapon thefts; mental health with both the deputies and jail putting in more hours. Law enforcement had become the "catch space" for the mental health patients that the state has no bed space for. Most of them have been diagnosed with a mental issue and they have no money for meds or insurance and stop taking them which puts them into a crisis. They begin self-medicating and many are suicidal. When they are in the jail they need constant observation if they are suicidal. This becomes an issue as it takes away from available personnel and goes into overtime; animal problems were beginning to become an issue for deputies, and Volunteers in Police Service (VIPS). There was an increase in having to take care of animals that owners were neglecting. VIPS was taking care of the non-aggressive animals; Sheriff Carpenter reported on the Current strengths of department: Deputy Winder and Deputy Johnson had returned from Active Duty; Deputy Day had completed the Peace Officer Standards Training (POST); the current vehicle status was doing well with 8 new F-150's and one new mustang traffic vehicle nearing delivery and would be deployed in about two months. Training continued with weapons qualifications in light, low light, and dark conditions; Patrol in-house defensive tactics recertification's; active shooter response; K9 training; wildland fires; SWAT; Tactical Flight Officer (TFO); Lexipol-policy daily training bulletins. He continued with reporting on the New and On-going issues: a deputy liaison program for Kanarraville and Cedar Highlands; Cedar Highlands contract for service; point paper changes regarding Drug Court, National Incident Based Reporting System (NIBRS) secretary, VIPS assisting animal control, changes to what required reports, reinstatement of ride along policy; Medicated Assisted Program (MAP) partnership with Southwest Mental Health (Federal Grant), this was a three part program: 1-Opioid blocker, 2-Rehab, 3-Mental and dental care; SUU Aviation partnership-special Air Deputies. Sherriff Carpenter reported on Up-coming events: Utah Summer Games, Iron County Fair, and the Youth Bike race. Future Ops and Considerations: Rural Utah Sheriffs and Police Chiefs attended a meeting with John Huber, U.S. Attorney for the District of Utah, and Phil Keith, Office of Community Oriented Policing Services Director. They were asked to list the biggest challenges facing law enforcement in rural Utah. The top nine were: Justice Reinvestment Initiative (JRI) was a failed policy; Illegal, illicit drugs and drug activity; Illegal

criminal aliens and violent crime affiliated with them; Federal funding of task forces; Staffing issues; Equipment issues; Mental Illness; Evidence collection and processing capabilities (rapid DNA, etc.); and Internet Crimes Against Children (ICAC). Future Budget Considerations: Personnel: additional traffic deputy- because of a high increase in number of vehicles transitioning through Iron County, puts the deputy on the road during peak traffic hours, increase in citations would help the Iron County Justice Court; Administration Sergeant-community oriented policing, training coordinator and extraditions and other extra duties as assigned. He concluded with reporting on the Future Ops and Considerations: National NIBRS Secretary would be a federally mandated requirement by 2021; Awards program for Deputies; Two year vehicle rotation program; and a new Correctional Facility. Sheriff Carpenter reported that the Iron County Correction Facility was the oldest facility in the State of Utah. It was becoming too small for Iron County and could be facing law suits from inmates in the future. It was important to continue the process of building a new facility, sooner than later.

PUBLIC COMMENTS

Symbria Patterson, a citizen of Iron County, noted that the Planning and Zoning Committee would be meeting to discuss the Urban Farming Ordinance. She invited the commissioners to attend. Reed Erickson stated that there would be an opportunity for the public to make comments at the meeting.

William Pressgrove, a citizen of Iron County, said that he had no problem with the Interlocal Agreement passed in the May 13th Iron County Commission meeting. He stated that he did have an issue that the three entities listed (Iron County Commission, Iron County Community Development & Renewal Agency, and Iron County Special Service District #2) had the same three individuals on each entity that voted. Mr. Pressgrove asked the commissioners to address the issue.

Jim Byler, representative of the Cedar Highlands City Council, said he was here regarding a contract with the Sheriff's Office for covered services to Cedar Highlands. Jim stated that Cedar Highlands had been in a "law enforcement limbo" without a contract for sheriff services. He reported that he was told by former Sheriff Gower and Sheriff Carpenter that without a contract the city would be charged each time the Sheriff's Office would respond to a call. The Cedar Highlands Mayor was telling the citizens to call 9-1-1 and that they would not be charged for any services. The Mayor's proposal states that an individual would be charged \$1,000 for calling the sheriff for what he would deem as an "unnecessary call." Mr. Byler reported that he community and the Council do want to budget a contract for the Iron County Sheriff services. He was told that Michael Edwards had written a contract and presented it to the Mayor. No one on the City Council has seen the contract. Cedar Highlands would like the services provided to them that was provided before they became incorporated.

PUBLIC HEARING TO RECEIVE COMMENTS REGARDING THE ALIGNMENT OF THE CEDAR VALLEY BELT ROUTE. THIS IS A PART OF THE IRON COUNTY TRANSPORTATION MASTER PLAN, AS PART OF THE IRON COUNTY GENERAL PLAN

Alma Adams, Iron County Commission Chair, declared the public hearing regarding the alignment of the Cedar Valley Belt Route open after the presentation by Reed Erickson the Iron County Planner.

Reed Erickson explained that the public hearing was to continue the discussion on the alignment of the belt route. Reed reported that he had met with property owners and the consultants. Small revisions were made as a result of those meetings. There would be no final decision today. This was to provide an opportunity for the public to express their concerns. Aaron Baker, Horrocks Engineering representative, explained that in the beginning of the process of planning for a beltway they did a review of the study process which included: data collection, data gathering, and talking with stake holders. A beltway was designed to surround a future urbanizing area. Aaron reported that this plan was a guiding document so citizens could view what would be happening in the future. When they met with the stake holders he had

developed some alignments based on comments and ideas from the meeting. There were modifications made to the Summit Interchange to offer full movement access. There was a public open house and layouts, public involvement, and comments were made. Those attending had access to the summarized “Story Map” which was a quick way to navigate the beltway. Mr. Baker reported on the several comments that were concerns with the beltway. Those changes had been made.

Sue Longson reported that she lived on 6600 N by the substation and had some concerns with the future belt-route. Sue stated that she was concerned that Iron County needed to protect the county going forward within future. She suggested that if someone was to purchase property, in the future beltway area, they should sign a contract noting they were aware that the belt route could possibly be in the works in the future.

William Pressgrove asked if the belt route was considered as a hazardous cargo route. Aaron Baker replied that it would not be.

Paul Sherratt stated that he had not been given information about the belt-route and heard about it from his neighbor. The belt-route was going right through his farm. Paul said that when the route was changed from going through a home it now went through his farm. He stated that the land owners should have been notified better. Paul reported that he made arrangements with a stockman for a right-of-way to go through his farm and this would interfere with it.

Paul Cozzens reported that he had received a text message from Dustin Langston (who was in Denver) who asked him to read his message. Paul quoted “I am still in support of the beltway but I found that the proposed route goes straight through a neighbor’s house. This house is new and does not show up on the Horrocks study. I suggest taking the beltway north of 4000 North before it crosses 4100 West.” Paul noted that the changes had already been made and Dustin was now aware of the change.

Spencer Jones reported that the belt route goes through approximately 2.9 miles of his property. He was appreciative of the “Pinch Point “of the property moving 75 feet/150 feet to insure there was no land-lock. Spencer explained that the proposed belt route being presented would be a negative impact to his property. He stated that the 6400 alignment was the best option, but without the interchange there would be no benefit for commercial businesses. Mr. Jones noted that he would like more of a global plan in place establishing Iron County’s intent to support and encourage UDOT to modify and upgrade the Summit interchange.

No further comments were offered. Alma Adams declared the public hearing closed.

RECOMMENDATION TO AWARD A CONTRACT FOR ROAD WORK WITHIN THE SUNSET SUBDIVISION AS PART OF AN APPROVED ROAD IMPROVEMENT ASSESSMENT AREA

Steve Platt expressed his appreciation to Horrocks Engineering for all the work they had done. Steve reported that Friday morning had successful bid opening for roads in the Sunset Subdivision. Steve reported that he received three bids: Mel Clark, Inc. for \$969,040, PCI for \$1,034,768.20, and Sun Rock for \$1,113,734. Steve recommended awarding Mel Clark, Inc. the contract for road work within the Sunset Subdivision as part of an approved road improvement assessment area. Located within Sections 31 and 32, T36S, R12W SLB&M, and Sections 5 and 6, T37S, R12W, SLB&M. Paul Cozzens made a motion to award Mel Clark, Inc. the contract for road work within the Sunset Subdivision in the amount of \$969,040 as presented by Steve. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND FINAL APPROVAL OF A FINAL PLAT FOR PEAK VIEW SUBDIVISION, PHASE III, LOCATED NEAR 2525 W MIDVALLEY ROAD, CEDAR CITY, UTAH. APN: D-597-4

Reed Erickson explained that this was the final plat approval for a letter of credit for improvements to be put in. The improvement drawings have been approved by Cedar City for sewer, and the Central Iron County Water Conservancy District for the water. All bonding was in place. The Planning Commission recommended approval of the final plat. Michael Bleak made a motion to approve the final plat of Peak View Subdivision, Phase III, located near 2525 W. Midvalley Road, Cedar City, Utah, APN: D-597-4. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PRESENTATION BY IRON COUNTY SHARE AND CARE REGARDING THE CURRENT STATE OF THE AGENCY AND AN OVERVIEW OF SERVICES RENDERED

Peggy Green, Iron County Care and Share, reported that the two fundraisers they sponsor were the 8th annual Golf Tournament which would be held September 11th, and the Charity Dodgeball Throw-Down which was held in February. Both events provide the Care and Share with revenues that have no restrictions from the state. The mission of the Iron County Care and Share was to provide compassionate assistance and resources to individuals and families in need, creating opportunities for increased stability and self-sufficiency. The Emergency Temporary Shelter was available to 38 men, women and children. There were three family rooms available and they were full more times than not. Many young families were falling into homelessness. Most homeless families have no backup plan. Care and Share teaches them how to budget and receive health care. The food pantry serves 650 plus per month, which were approximately 50-80 families per day coming through the pantry. Peggy reported that she was most proud of the daytime services provided. During the day they allow anyone to come into the shelter to shower, do laundry, grab a sack lunch and water. They are also invited to have a hot breakfast and hot dinner. She was concerned with the daytime services as it was completely unfunded. Most people who come in have no running water and are living in storage units or broken down cars. Peggy reported that they used to receive the Temporary Assessment for Needy Families (TANF) Grant for \$300K, but this year Iron County did not receive the TANF Grant. The funds from the grant were used to keep families in homes. They have a fantastic Intergenerational Poverty Plan that allows them to help end intergenerational poverty. The plan addresses middle school children to break the cycle. She reported that Iron County was rated 27th out of 29 counties in the state of Utah. The two counties lower than Iron County was San Juan and Piute. Peggy reported they were proposing a Cardboard Recycle Program. The plan focuses on increasing their ability to maintain and expand the food pantry. There were three main benefits: First, it would free up other funds within their accounts to use for improving the lives of the food insecure individuals within their reach; Second, it would provide a recycling center for local cardboard disposal, and Third, it would be self-sustainable and would pay off in the long run. She explained that they had purchased a bailer but needed a building to put it in, and some electrical work. They were in need of \$20,000 to get started. She asked that the commissioners consider the plan during the mid-year budget discussions. Alma Adams reported that Iron County was on a yearly budget system, but would consider the request.

DISCUSSION AND POSSIBLE APPROVAL OF A RESILIENCE YOGA PROGRAM FOR THE CHILDREN'S JUSTICE CENTER (CJC)

Stephanie Furnival, CJC Director, explained that the CJC Friends Board had been providing a Resilience Yoga class once a week to the children, their multidisciplinary team, and partnering teams at the CJC. Stephanie introduced Chelsea Robinson who was the yoga instructor, and Chair of the Friends Board. Chelsea explained that she was a teacher in Iron County. Over the past year she had received three different Yoga Certifications. One such certification specialized in trauma and the effects on the body. The CJC aimed to offer yoga and mindfulness to employees and their spouses of Iron County along with other entities. The proposed initiative would be to allow each willing employee one hour every other week or once monthly, to attend the CJC Resilience Yoga Class. The management and execution of the initiative would be fulfilled by Stephanie Furnival, CJC employees, and herself. The class would be free and funded by the Friends of the CJC as long as it is utilized by the employees of Iron County. Mike Bleak reported that it was difficult to work with child abuse, death, and sexual abuse victims. He spent 13 years with the Police department dealing with them. With the various types of programs that were provided to him, he was able to keep his family together and keep his sanity. Alma Adams stated that he would work with HR to form a policy for the program.

DISCUSSION AND POSSIBLE APPROVAL OF RENEWAL OF A CONTRACT WITH EVERBRIDGE FOR EMERGENCY COMMUNICATION SERVICES

George Colson, Iron County Emergency Management Director, reported that Everbridge was the Iron County Emergency Notification program. The contract renewal was due on July 9th but because of the weekend they would still accept it. George reported that there was an increase of \$1650 to \$19,650. Communities paid into the program and the cost was offset by those payments. Michael Bleak made a motion to approve the renewal of the contract with Everbridge for the Iron County Emergency Communication Services in the amount of \$19,650. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PRESENTATION AND POSSIBLE APPROVAL OF THE RESULTS OF THE 2019 DELINQUENT PROPERTY TAX SALE HELD MAY 23RD

Christene Lowder, Iron County Deputy Auditor, reported that the 2019 Tax Sale was held on May 23rd. She reported that 63 properties were sold, 22 properties were redeemed before the tax sale, and 42 were struck back to Iron County. Christine reported that \$105,962.94 was generated in surplus funds; \$17,500 was collected on back taxes. She stated that there have been no problems with properties brought to light after the tax sale. Christene recommended approval of the 2019 Tax Sale results. Paul Cozzens made a motion to approve the results of the 2019 Tax Sale as presented by Christene Lowder. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF AN UPDATED LIST OF INSIGNIFICANT REAL PROPERTIES TO BE SOLD. NOTE: THIS LIST INCLUDES THE 2019 PARCELS THAT WERE NOT SOLD DURING THE MAY 23RD TAX SALE

Jon Whittaker reported that the updated List of Insignificant Real Properties was not ready at this time and would be presented at the next commission meeting. Christene presented Jon with a list of the 42 properties that were struck back to Iron County.

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

Alma Adams, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the ICCD&RA.

DISCUSSION AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENTS FOR THE BERYL, BUCKHORN, AND CEDAR VALLEY SOLAR PROJECT AREAS FOR 2018

Jon Whittaker explained that the three projects had previously been before the ICCD&RA. The three solar projects were done as sister projects. Dan Jessen reported that the cost for Beryl Solar was \$27,814.30, Buckhorn Solar \$31,099.13, and Cedar Valley Solar \$29,103.37. They were 50 percent projects and the smallest of the solar projects. Michael Bleak made a motion to approve the tax increment payments as presented. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the adjournment of the ICCD&RA and the reconvening of the Iron County Commission.

PERSONNEL


Adrion Walker, Iron County Human Resource (HR) Director, presented the new hire, Alysse Monson as a Part-time Assistant Cook for Council on Aging (COA), effective May 28th for approval. This was a backfill of a vacant position. Adrion Walker presented the new hire of Jacquelyn Francisco as a Part-time Assistant Cook for COA, effective June 5th for approval. Adrion Walker presented a status change for Ryan Sessions from Deputy 1 to Medical Technician/Deputy with a corresponding pay increase in Corrections, effective June 2nd for approval. This was a backfill of a vacant position. Adrion presented the new hire, Weston Walker as a Seasonal Outdoor Maintenance Technician for Tourism/Parks and Recreation, effective June 10th for approval. This was a newly approved position. Paul Cozzens made a motion to approve the personnel changes as presented by Adrion Walker. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS


No non-delegated items were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
JUNE 24, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 24, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner-excused
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Dan Jessen	County Auditor
Kenneth Carpenter	County Sheriff
Adrion Walker	Human Resource Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Steve Platt.

INVOCATION

An invocation was offered by Bruce Anderson.

Alma Adams excused Commissioner Paul Cozzens.

DEPARTMENTAL REPORTS

Steve Platt, Iron County Engineer, reported that the budget was on track. The Sunset Subdivision Assessment Area was moving forward. The Forest Service had given funds to Iron County for construction of two bridges just off Highway 143 at the 1st and 2nd Left Hand Canyons as a result of the Brian Head fire. Construction would be September through November. There would be a detour set up during the construction. Steve reported that the Emergency Watershed Protection (EWP) for Paragonah of \$1M was still coming together. There would be work at the mouth of Little Creek and the Red Creek channel. The Parowan EWP and Flood Prevention Operations project were moving forward. All of the Environmental Assessments were being worked on. He reported that after 10 years working on the Flood Map, the Federal Emergency Management Agency (FEMA) had decided to close the current mapping project and start over. There would be a meeting on July 9th for information on the new proposal.

Chad Nay, Iron County Building & Zoning Administrator, reported that the budget was on track. Chad reported that as the weather warmed and storms subsided, building had ramped up to the level it was last year at this same time. Chad reported that for the past year the Planning Commission and staff have been working toward developing an "Urban Farming" ordinance so the citizens of Iron County were able to take advantage of State Legislation passed last year giving breaks and perks for participation in urban farming. The Cove Mountain 1 and 2 Solar Farms were concluding their land use permits and beginning the building permit process. Another group home was close to submitting their application which would be located in Parowan City. He reported that he continued to work with Reed Erickson to promote solar in Iron County by working to install solar recharging stations at the Iron County Visitors Center, to acquire solar powered vehicles, and solar vehicle wraps. Chad reported that as people get outside the complaints were increasing on zoning violations.

Preston Nelson, Iron County Roads Supervisor, excused.

Bruce Anderson, Iron County Landfill Supervisor, reported that the budget was on track. Bruce reported that there was a State inspection and audit on June 11th and 12th. It went very well and the Landfill passed with high reports. He attended the Solid Waste Association of North America training with Cody Christensen in Salt Lake City. Cody did well with the training and passed the test. The price of metal was down so he would delay selling the accumulated scrap metal until the price goes up. Bruce reported that as of January 1st there were 82 new customers or 2nd can requests. There were approximately 4000 customers. The projected lifespan of the landfill was between years 2045 and 2050.

Alma Adams, Iron County Commissioner, reported that he had spoken with Preston Nelson and he reported that they were in the regular maintenance of chip sealing. The Vandenburg Road had 2 miles ready to be chip sealed and should be completed by the end of the summer.

Michael Bleak, Iron County Commissioner, reported that he was on the board of the Frontier Homestead. The Pioneer Museum Folk Life Festival was held the previous weekend. The criteria for the vendors was to be "art centered." There were various demonstrations and live music. It was a successful festival and it continued growing.

Henry Walton, Western Utah Director for Senator Mitt Romney, reported that Senator Romney was working very hard on reducing the national debt. Senator Romney voted against the Disaster Spending Bill, and introduced an amendment to the Disaster Spending Bill called "The Budgeting for Natural Disasters Act." It would require Congress to factor in disaster spending into the Federal Budget each year. Senator Romney was also working on a Permanent E-Verify Act. E-verify required employers to verify that their employees were citizens. Currently, the legislation allows the E-Verify program to sunset every six months. The problem arising was the confusion on whether it was the law of the land or not. Senator Romney's bill would make the law a permanent requirement.

Jon Whittaker, Iron County Clerk, reported that the sale of the Fiddlers Canyon Building was successful. The sale of Fiddlers Canyon Building would be positive for the area and Iron County.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, reported that the pledge and prayer just offered was to God. That God was who gave all his children their free agency. Mr. Pressgrove quoted from the Iron County Code under 17.02.040- B. He then asked where his free agency was. William said that as an individual he had no free agency. Anything he does on his own property had to be approved by the commissioners. He concluded stating the he had no free agency to work on his own property as he sees fit.

Peter Thornton, a citizen of Iron County, noted that he lived right off of 4500 N. The area continued to grow with many moving into the Three Peaks area. When he first moved there, there would be 1 vehicle per day going down the road and now there were 20 to 40 vehicles per day. Peter reported that the road was now torn up and asked the commissioners for help with maintaining the road. Manhole covers were raised and causing problems. He stated that there were squatters on property out by Three Peaks, more and more camping there, and people were dumping illegally. Alma Adams noted that it was up to the developers and the land owners to bring the roads up to county standards. Mr. Thornton stated that Iron County had continued to encourage people to go to the Three Peaks area and should help maintain the roads.

Lehi Allred, a citizen of Iron County, stated that he was also concerned with the same road and increased traffic. If there were to be a gate with a lock on it people would just shoot off lock and go through it. Chad Nay explained that if the property owners were to participate in an assessment area all requirements would need to be met before the county would maintain the road

REVIEW AND CONTINUED DISCUSSION OF THE CEDAR VALLEY BELT ROUTE ALIGNMENT STUDY AND TO RECEIVE PUBLIC COMMENTS

Reed Erickson reported that after some public comments the belt route had slightly changed to satisfy the concerns. The Cedar Valley Belt Route that was now recommended was determined to be the best alignment. Reed explained that a primary priority of the belt route alignment was to minimize to existing residents.

CONVENE AS THE BOARD OF EQUALIZATION (BOE)

Alma Adams, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the BOE.

DISCUSS AND REVIEW APPLICATIONS FOR QUALIFYING VETERANS WHO HAVE RECEIVED A LATE PROPERTY TAX ABATEMENT ON THEIR HOME FOR THE TAX YEAR 2018 AND/OR TAX YEAR 2019, FOR APPROVAL

Christene Lowder, Chief Deputy Auditor, explained that under Utah Code, veterans were allowed to apply any time through year for an abatement and had the opportunity to request an abatement for prior years taxes. Christene reported that the abatements submitted had been granted and any refund owed was sent to them. This was ratification of 5 individuals who had requested abatements and for the approval of the the Iron County Commission. Michael Bleak made a motion to approve the abatement applications for qualifying veterans as presented by Christene. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the adjournment of the BOE and the reconvening of the Iron County Commission.

RATIFICATION OF VEHICLE TRANSFERS FROM THE IRON COUNTY SHERIFF'S DEPARTMENT

Jon Whittaker explained the vehicle transfer was a 2013 Ford Crew Cab. Michael Bleak made a motion to approve the ratification of the vehicle transfer from the Iron County Sheriff's Department to the Fire Department. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, absent.

DISCUSSION AND POSSIBLE APPROVAL REGARDING A PROPOSED LEASE AGREEMENT FOR THE EMERGENCY MANAGEMENT DEPARTMENT IN THE FIDDLERS CANYON BUILDING

Reed Erickson explained that the new owner of the Fiddlers Canyon Building had agreed to lease one office and storage space to be used by the Emergency Management Department for one year. Reed recommended approval for a one year rental agreement. Michael Bleak made a motion to approve a lease agreement for the Emergency Management Department in the Fiddlers Canyon Building for one year. Second by Alma Adams. Voting: Alma Adams, Aye: Michael Bleak, Aye.

DISCUSSION AND POSSIBLE APPROVAL REGARDING A POTENTIAL LEASE RENEWAL AGREEMENT FOR THE DAUGHTERS OF THE UTAH PIONEERS FOR SPACE IN THE IRON COUNTY VISITOR'S CENTER

Reed Erickson explained that the lease for the Daughters of the Utah Pioneers had existed since 1998. The lease for space in the Iron County Visitor's Center was for 20 years and was up for renewal. Reed recommend the renewal. Michael Bleak made a motion to approve the 20 year lease renewal agreement with the Daughters of the Utah Pioneers for space in the Iron County Visitor's Center. Second by Alma Adams. Voting: Alma Adams, Aye: Michael Bleak, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT FOR PROFESSIONAL SERVICES WITH THE LAW FIRM GILMORE AND BELL FOR THE PREPARATION OF THE NECESSARY DOCUMENTS IN THE BOND FINANCING PROCESS FOR ASSESSMENT AREAS IN IRON COUNTY

Reed Erickson explained that the law firm Gilmore and Bell would help prepare documents for the bonding of the Sunset Subdivision Assessment area and George K. Baum & Company would serve as the bonding financial advisors. Michael Bleak made a motion to approve the contract for professional services with the law firm Gilmore and Bell for the preparation of the necessary documents in the bond financing process for the Sunset Subdivision Assessment Area in Iron County. Second by Alma Adams. Voting: Alma Adams, Aye: Michael Bleak, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT FOR PROFESSIONAL SERVICES WITH THE INVESTMENT BANKING FIRM GEORGE K. BAUM & COMPANY TO SERVE AS FINANCIAL ADVISORS IN THE BOND FINANCING PROCESS FOR THE SUNSET SUBDIVISION ASSESSMENT AREA IN IRON COUNTY

Michael Bleak made a motion to approve a contract for a professional services with the investment banking firm George K. Baum & Company to serve as financial advisors in the bond financing process for the bond financing process for the Sunset Subdivision Assessment Area in Iron County. Second by Alma Adams. Voting: Alma Adams, Aye: Michael Bleak, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF AN THE UPDATED LIST OF INSIGNIFICANT REAL PROPERTIES TO BE SOLD. THIS LIST INCLUDED THE 2019 PARCELS NOT SOLD DURING THE MAY TAX SALE

Jon Whittaker explained the List of Insignificant Real Properties included all parcels not sold at the tax sale. Michael Bleak made a motion to approve the updated List of Insignificant

Real Properties as presented. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF POLICIES REGARDING PERSONAL USE OF IRON COUNTY PROPERTY, INCLUDING VEHICLE USE, GENERAL EQUIPMENT USE, AND COMPUTER USE

Michael Edwards, Iron County Deputy Attorney, explained that this was regarding HB163 from the previous Utah Legislative Session. HB163 now made any personal use of public property beyond a De Minimis or incidental use a felony. Counties throughout state were concerned with the lack of a specific definition. There had been a policy that provided a clear definition for the misuse of county funds but not one for the misuse of county property. HB163 would allow personal use of county property if the county had a written policy that allowed it. The County Attorney's Office had been working together with department heads and Elected Officials to draft a policy that would address the issue. Mike presented the commissioners with three drafts made regarding Iron County Code, Sections 30, 38, and 45. Michael Bleak made a motion to approve the policies regarding the Personal Use of Iron County Property Section 30: Vehicle Use; Section 38: Computer Use; Section 45: General Equipment Use. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

PERSONNEL

Adrion Walker, Iron County Human Resource (HR) Director, presented the new hire of Kurtis Cox as a Landfill Technician for approval, effective July 1st. This was a backfill of a vacant position. Adrion Walker presented the transfer of Grant Oxenrider from Landfill Technician to Roads Maintenance Worker in the Road Department, with a corresponding pay change for approval for approval, effective July 14th. This was a backfill of a vacant position. Adrion Walker explained that the position was slightly lower in pay range. Grant was aware of this and understood the pay scale. Michael Bleak made a motion to approve the personnel changes as presented by Adrion Walker. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.

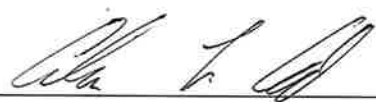
Adrion Walker explained that in the last commission meeting a Resilience Yoga program offered to the employees was discussed and approved. To accommodate this there were changes to the Iron County Policy Section 40 that would need to be made. Under Paid Administrative Leave, Adrion noted that there were additions to the existing policy and a need to clarify how the policy was being interpreted. The changes and additions were made in Section 40-A, Paid Administrative Leave; Section 40-B Types of approved paid administrative leave; Paragraphs: 1 Mentoring & Community Service; 2. Family Responsibilities: A; 3. Employee Wellness; 4. Investigation or Disciplinary. A copy of the changes was sent to all department heads and commissioners. Michael Bleak made a motion to approve the changes in the Iron County Policy Section 40 as presented by Adrion Walker. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye.


NON-DELEGATED ITEMS

No Non-delegated items offered.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.


Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk



June 24, 2019

**IRON COUNTY COMMISSION MEETING
JULY 8, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 8, 2019 in
Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner-excused
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Adrian Walker	Human Resource Director

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THREE PEAKS RECREATION AND PUBLIC PURPOSES LEASE	4
VEHICLE SURPLUS LIST	4

PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Alma Adams.

Commission Chair Alma Adams excused Commissioner Michael Bleak as he was away picking his son up from his mission in Brazil.

DEPARTMENTAL REPORTS

Dennis Johnson, Iron County Television, excused.

Ryan Riddle, Iron County Fire Warden, Ryan reported that the number one cause of fires in Iron County was lightning. The Utah Department of Transportation had begun to mow along I-15. There had been 400 fire permits issued through an online application process. He reported that they continued to emphasize fire prevention and education through class room visits, school assemblies, young men and scout programs and by implementing a preventative sign program. They were also utilizing putting messages on garbage and sewer billing through the County Clerk's Office. Ryan reported on the various Fuel Reduction actions within the Iron County Cities. He was concerned with the decline in volunteers and was working on a proposal to create interest to help. The proposal included an employer incentive to allow workers to leave. Ryan reported that the Firefighters continued to train to national standards. The Fire Department was still in need of a building. He noted that he had met with Jon Whittaker for guidance to apply for a Community Development Block Grant to fund the building. Ryan concluded that the budget on track.

Joyce Evans, Iron County Fair Manager, reported that the budget was on track. The Iron County Fair preparation was up and going. The theme for the 2019 Fair was "Wild, Wild, West." Joyce reported that Wrangler National had agreed to be a sponsor this year. She stated that Search and Rescue was becoming concerned with the lack of parking available during the fair. The area east of the south parking lot could be used and Preston Nelson said he would grade that area. There was also the possibility to use the Parowan City Ball Fields. There was a concern with walking distance from there to the fair, and she had asked the Senior Citizens if it would be possible to use their vans. The concern there was the time the drivers would put in. Most of the drivers worked part-time and the extra time would cause them to cross over into full-time hours. Alma Adams stated that they could be payed from the fair budget. She noted that Parowan City had a new transformer installed to split use from the arena and the vendors. Sod had been laid in front of the bleachers and a new roof was on. Joyce reported that the infield of the arena had an abundance of noxious weeds which were bad for livestock. Former Brian Head Mayor Dutch Deutchlander would be the Parade Grand Marshall.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meetings held May 13th and May 28th. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, reported that on July 9th at 6:30 p.m. there would be a seminar held at the Cedar City Library regarding Principles of Liberty. Mr. Pressgrove read from the book "The 5000 Year Leap" Principle 7- The Proper Role of Government. He stated that he personally could not take anyone else's rights away. The state and counties should not be allowed to take its citizen's rights away either.

Mike Sherratt, a citizen of Iron County, listed his concerns with the Cedar Valley Belt Route Alignment: would it be going across private property; would there be consideration for the livestock that was located on both sides of the beltway, fencing provided so the livestock would not venture onto the road; who would maintain the fence; who would the residents work with for the acquisitions; and if "Imminent Domain" would be used. Alma Adams reported that the next item on the agenda was the Belt Route and his questions would be answered then.

Nicole Shapley, a citizen of Iron County, noted that she lived in the Midvalley Estates neighborhood. Nicole reported that there was a lot of speeding in Midvalley Estates and there were only five stop signs in the neighborhood. She requested that more signs be installed

between 5400 North to Midvalley and 3100 W and 2700 W. Alma Adams said he would give the information to the Iron County Road Department and ask them to do a study.

Bruce Washburn, a citizen of Iron County, reported that he was looking for the Natural Resource Management Plan on the Iron County website and could not find it. Jon Whittaker reported that it was on the website and would follow through. Bruce reported that the Iron County General plan was last revised in 2005 and a number of items were outdated. He noted that he became aware that Iron County had joined American Land Council (ALC) again. Alma Adams reported that the ALC had taken softer approach in transferring public land and the Commission was in favor of more local control of the land.

REVIEW AND POSSIBLE APPROVAL OF THE CEDAR VALLEY BELT ROUTE ALIGNMENT, IRON COUNTY TRANSPORTATION MASTER PLAN AMENDMENT, AND ELEMENT OF THE IRON COUNTY GENERAL PLAN

Reed Erickson, Iron County Planner, explained the reason for working on the Cedar Valley Belt Route Alignment so early was to help identify the corridor for the future. Horrocks Engineers, Inc. had worked diligently to make the best alignment study for all involved. Reed presented the commission with the recommended adoption of the alignment for approval. The next steps after the adoption of the alignment were: identification and the adoption of an Access Management Plan; the acquisition for rights-of-way (ROW). Reed reported that fencing would occur at the time of any disturbance to the land. The livestock trail would need a provision to continue on 3600 North.

Roger Bang was concerned with having access to property while the road was being built of road. Alma Adams answered that there would be a frontage road provided, and that no imminent domain was expected. Most of the land had been donated.

Jean Baltes reported that she had been told that the ROW was going to be 150 feet and the report says it would be 100 feet. She requested a clarification on which it would be. Reed Erickson stated that the ROW was to be 100 feet.

Todd Baltes noted that he lived at the end of 4000 North. The route had been changed and would traverse around his property. Three Peaks was located behind them and 4000 North was a main route to get to Three Peaks. Mr. Baltes asked what the plans were for access to Three Peaks when the road construction began. Reed Erickson reported that there were no plans at this time for the many main intersections. Those plans would come at the design level when time gets closer to time of construction and they were aware of them. Steve Platt explained that of the first 6 miles of the southern section of the belt route, 20 acres were donated, while 33 acres were purchased through the Local Corridor Preservation Fund. Reed Erickson explained the Local Corridor Preservation Fund was money provided by the State of Utah to acquire road rights-of-way.

Jean Baltes requested that property holders that would be affected by the Cedar Valley Belt Route Alignment be listed as stake holders. The aerial data was out of date and did not show newer homes. Reed Erickson reported that all the homes had been verified to where the homes were located. Paul Cozzens made a motion to approve the Cedar City Valley Belt Route Alignment as presented on the current story map and all property owners to be listed as stake holders. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A SINGLE EVENT PERMIT LOCAL CONSENT FOR RED ACRE CENTER "RED ACRE GATHER CELEBRATION" TO BE HELD ON AUGUST 3RD

Symbria Patterson, owner of the Red Acre Farm, explained that the event would be hosted by a non-profit organization for a fund raiser. Paul Cozzens made a motion to approve a single event permit for the Red Acre Center "Red Acre Gather Celebration" to be held on August 3rd. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

RATIFICATION OF A VEHICLE TRANSFER OF A 2005 DODGE DURANGO FROM THE FIRE DEPARTMENT TO TOURISM

Paul Cozzens made a motion to approve the ratification of a vehicle transfer of a 2005 Dodge Durango from the Fire Department to Tourism. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Absent; Paul Cozzens, Aye.

APPROVAL OF ITEMS ON A VEHICLE SURPLUS LIST

Alma Adams reported that there were 10 vehicles on the surplus list. Jon explained that the vehicles would be listed on the Public Surplus web site. Paul Cozzens made a motion to approve the 10 vehicles on the Vehicle Surplus List. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

LOCAL CORRIDOR PRESERVATION FUND EXPENDITURE APPROVAL REIMBURSEMENT FOR THE CEDAR CITY CORPORATION ACQUISITION OF ABANDONED UNION PACIFIC RAILWAY PROPERTY

Alma Adams explained that when the Union Railway Corridor was abandoned Cedar City acquired the approximately one mile of land. Cedar City purchased the land for \$601,689.77 and was requesting reimbursement for the purchase from Iron County, who held the monies provided by the State of Utah as steward. Paul Cozzens disclosed a possible conflict of interest where he sits on the Cedar City Council. He did not anticipate any conflict. Paul Cozzens made a motion to approve the Local Corridor Preservation Fund expenditure for reimbursement to the Cedar City Corporation acquisition of abandoned Union Pacific Railway property in the amount of \$601,689.77. This expenditure was previously approved by the Iron County Council of Governments. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

POSSIBLE APPROVAL OF THE PARAGONAH SPRING TRIATHLON, A ONE DAY, AND NON-PROFIT EVENT. REQUEST TO WAIVE THE FEE FOR THE TRIATHLON TO BE HELD ON JULY 20TH

Alma Adams reported that the event had been held in the past and the fees had been waived. Paul Cozzens asked what the bases were of waiving the fees. Jon Whittaker reported that it was because it was a non-profit event. Paul Cozzens made a motion to approve the Paragonah Spring Triathlon, a one day, non-profit event, and to waive the fee. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A THREE PEAKS RECREATION AND PUBLIC PURPOSES LEASE WITH THE UNITED STATES DEPARTMENT OF INTERIOR BUREAU OF LAND MANAGEMENT (BLM) AND IRON COUNTY

Mike Worthen, Iron County National Resource Plan Manager, reported that previously the commissioners approved to move forward with the Recreation or Public Purposes Lease patent for the Three Peaks Recreation Area. Mike reported that he didn't realize that the lease expired and would need to be renewed before the BLM could move forward with a patent to Iron County. Paul Cozzens made a motion to approve the Three Peaks Lease as presented by Mike Worthen. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A DISASTER INTERLOCAL AGREEMENT BETWEEN CEDAR CITY CORPORATION AND IRON COUNTY

Jon Whittaker explained that the Disaster Interlocal Agreement defined the operating procedure during a disaster and gave permission for the state to know the resources and allocations. Mike Edwards explained that if there were a disaster we could call upon each other for help. Paul Cozzens disclosed a possible conflict of interest where he sits on the Cedar City Council. He did not anticipate any conflict. Paul Cozzens made a motion to approve the Disaster Interlocal Agreement between Cedar City Corporation and Iron County. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A LETTER OF RECOMMENDATION REGARDING A CONSERVATION EASEMENT IN THE DEEP CREEK AREA NORTH OF MINER'S PEAK

Alma Adams reported that Bryan Higby and two others owned over 800 acres in the Deep Creek Area. There was a California Condor study being performed on the land and they would like to put the property into a Conservation Easement. In order to apply for the Lee Ray McAllister Fund they would need a letter of recommendation. The state set up the Lee Ray McAllister Fund for conservation of critical lands. Alma Adams recommended the approval of the letter of recommendation. Reed Erickson requested that the letter of agreement stipulate that there would be no provisions, because of the California Condor, that would limit the current and historical uses of the property. If the California Condor was tied to the use of the property or the primary purpose of the easement, it would make the use of the land more complicated in the future because it was listed as an endangered species. Paul Cozzens made a motion to approve the letter of recommendation regarding a Conservation Easement in the Deep Creek Area north of Miner's Peak, with the condition that a legal description and parcel numbers, owners names, and intended acres of the easement be listed, and that the California Condor language be excluded. Second by: Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Absent; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker presented Teresa Wood to move from a Part-time Victims Advocate to a Full-time Victims Advocate with a salary increase and full benefits, in the Children's Justice Center (CJC), effective date June 30th. The salary increase would be paid through the newly approved VOCA Grant/State funds. Adrion Walker also presented the creation of a new Part-time Case Manager position in the CJC. This position would be paid by Federal Grant. Paul Cozzens made a motion to approve the promotion of Teresa Wood and the creation of a new position of a Part-time Case Manager as presented by Adrion Walker. Second by Alma Adams. Voting: Alma Adams, Aye; Paul Cozzens, Aye.

Adrion Walker reported that item B would be stricken from action at this time.

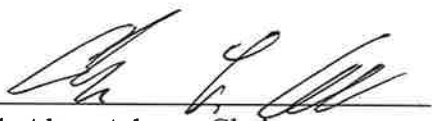
Adrion Walker presented the new hire of Darci Tisdale as a Part-time Assistant Cook, in the Council on Aging Department, effective July 1st. This was a backfill of a vacant position. Paul Cozzens made a motion to approve the new hire of Darci Tisdale as a Part-time Assistant Cook in COA. Second by Alma Adams. Voting: Alma Adams, Aye; Blake Edwards, Absent; Paul Cozzens, Aye.


NON-DELEGATED ITEMS

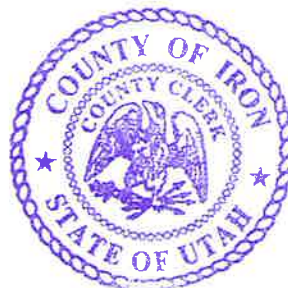
No non-delegated items were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.


Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
JULY 22, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 22, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	County Human Resource Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Bruce Washburn.

INVOCATION

An invocation was offered by Dan Jessen.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meetings held June 10th and June 24th. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Cindy Bulloch, Iron County Assessor, reported that the valuation notices had been mailed. They were getting ready for the Board of Equalization (BOE) meetings. Cindy reported that she was going to try an outreach program in Cedar City. It would offer assistance for those filling out their BOE paperwork and help educate them about the process. She reported that she attended the National Association of Counties (NACo) conference held the previous week. A new app called "Testit" was presented for cellphones. The app would allow use of broadband everywhere. The GPS would be updated and provide a better map. Cindy noted that there was a lot of talk regarding election security and the census. Iron County needed to encourage everyone to fill the out the census forms. Utah Association of Counties (UAC) would be meeting as a board on the 31st to select a permanent CEO. Her office continued to feel the void with Rhonda Warren's absence.

Dan Jessen, Iron County Auditor, reported that the budget was on track. Dan reported that the audit was completed before the required time. Kimball & Roberts CPA would report on the audit later in the meeting. The May Tax Sale was a success. He stated that since the valuations were mailed he has been inundated with calls. The Iron County School District (ICSD) was the only entity with a "Truth in Taxation" meeting. Dan explained the process regarding the ICSD Truth in Taxation. Dan praised the Assessor's on how professional they were and how willing they were to work with homeowners. Cindy Bulloch reported that the date for the BOE was dependent on how many tax payers filed. The tentative dates were: a half day on September 20th, full days on September 25th through the 27th, and a follow up on the 30th if needed. Dan concluded that the mid-year adjustments were nearly complete. There would be a report and a public hearing at the next commission meeting.

Nicole Rosenberg, Iron County Treasurer, reported that the Treasurer budget was on track. Nicole reported that Pooled cash was at \$36M. Iron County had received the Payment In Lieu of Taxes (PILT) payment. Interest was at 2.89% and was expected to decrease. Outstanding Taxes totaled \$5.4M and the delinquent billings had been sent out. She reported that she signed with a taxing agency called "Auto Agent" to help with refunds. Nicole noted that she was still interested in creating an Investment Policy. She inquired on the progress of replacing the flooring in the stairwells and the completion of the Pavilion. Alma Adams noted that Lester Ross would be coming to the Courthouse later that day and he would discuss the issues with Lester.

Carri Jeffries, Iron County Recorder, reported that recordings were up at 600, there were 8 subdivisions. The total revenue was up because of fee increase to \$106K. Carri explained the fee increase, which helped standardize recording fees statewide. She reported that the Recorders Office would be switching to an Arc GIS System in 2020. It was going to be a large project with staff training and having all the maps digitized. It would help to keep the maps updated.

Michael Bleak, Iron County Commissioner, reported on his trip to pick up his son from his South America Mission. Mike reported that being in a different country should make anyone feel very blessed and appreciative of the government in the USA. He reported that he went on a tour with the Iron County Economic Development Director/Tourism with a group from Ireland and Australia to Kanarra Falls. They were scouting for possible locations for some media projects. He and Councilman Allred from Kanarrville hiked to the upper falls and cleared logs, debris, and trash along the way. The guests were very impressed with the Iron County area.

Paul Cozzens, Iron County Commissioner, reported that he had met with Paul Monroe, director of the Central Iron County Water Conservancy District (CICWCD). Paul Cozzens reported on the water savings from the recharge basins. He noted that on July 9th the Federal Emergency Management Agency (FEMA) made a decision to redo the flood maps. Steve Platt reported on the meeting with FEMA.

Alma Adams, Iron County Commissioner, reported that Parowan had suffered a power outage two weeks ago that lasted for 48 hours. There would be a meeting with Rocky Mountain Power after the commission meeting to discuss why it lasted so long. Alma reported that Zion National Park was considering moving to a reservation system to visit the park. Most locals were

against it but it was still being considered. He reported that Congressman Stewart would be visiting later in the month to see if there was a possible alternative.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, reported that he has been attending the Planning and Zoning Committee meetings. It had been pointed out that the wording in the Urban Farm Ordinance says “the county “MAY” put together directives regarding the Urban Farms.” When the ordinance goes into action it changes from “may” to “shall, must, or mandatory”. Citizens should have the same liberty as the State does.

DISCUSSION REGARDING A POSSIBLE ASSESSMENT AREA FOR ROAD IMPROVEMENTS ON 5900 NORTH, CONSIDERATION OF THE APPLICATION AND REVIEW OF THE SCOPE OF THE PROJECT AND NEXT STEPS ACCORDING TO IRON COUNTY RESOLUTION 2009-7, SECTION 130

Reed Erickson, Iron County Planner, explained that in early February the application was turned in regarding the 5900 North road improvement/possible assessment area. All the proper process was followed after receiving the application. He noted that the application did not have the necessary signatures. Reed reported that the process has been restarted and the signatures were collected on the application. It was determined by the commissioners to reevaluate the 2 properties that faced 2300 West to receive a half assessment. All affected with the assessment were notified of the review of the application and the project was ready to move forward. Reed reported on Resolution 2009-7 Section 130 items A-I. He explained that there was a concern if the size of the assessment area should be reduced or increased. The owners of two properties facing 2300 West and the owner of the property on the west end requested to be removed from the assessment because there would be no benefit for them. Reed reported that there were also questions as to whether the road should be chip-sealed or gravel. He explained that the application that was presented and signed requested that the road be chip-sealed. He reported on the estimated schedule for the assessment area. Alma Adams suggested that the two properties on 2300 be assessed half the rate and exclude the property on the west end. Alma noted that this was not a public hearing but allowed the public to speak on the matter.

Travis Clark, a citizen of Iron County, reported that he was a family member of the Slacks. Their property was on the west end where the road dead ends. They have no access to 5900 and did not use the road. The road would provide no benefit to them. Mr. Clark reported that the property was all unimproved agriculture for livestock only. He stated that they would not use the road even if was brought up to county standard because they have no access to it.

Mary Ellen Enders, a citizen of Iron County, reported that she lived on 2300. She does not live in the subdivision. She felt that they were not being treated fairly but more like second class citizens. Mary read from Utah Law 72.3.103 County Roads-Class B Roads. She noted there was no breakdown of bid price and the minimum standard of gravel should be used. Mary stated that a county road should be paid for by the county. Alma Adams explained that it was up to the developer to bring the road up to county standards. When the road was not brought up to standards it fell on the property owners.

Roy Quante, a citizen of Iron County, explained that he lived on 2300 west and did not use 5900 at all. He had just received his proposed property tax bill in mail and it went up another \$500. Roy stated that he was on a fixed income and if there were more added to his payments he may have to sell. He thought it was strange that the county trash trucks use 5900. Iron County was using the road and should maintain the road.

Pat Brown, a citizen of Iron County, reported that he lived on 5900. He noted that the road could not be half chip seal and half gravel. He asked if the estimate would stay the same or change. Reed Erickson reported that the price would be locked in.

Michael Edwards stated that public comments were to be made to the commission and not to each other. There should be only one speaker at a time and they should speak from the pulpit.

Pat Brown asked why the 60 day waiting period had to begin again. He noted that at the last meeting he understood that the majority number was met and all agreed on the chip seal and why the protest period had to begin again. Reed explained that it was because the signatures were not on the application to cover the 50 percent needed.

Paul Cozzens expressed that the two properties on 2300 should be given a half assessment as they do profit from the use of the road and that the Slack family be excluded. Mike Bleak concurred. Paul Cozzens made a motion to pursue the assessment area based on 21 properties. Two properties that face 2300 west and each would receive one vote and pay half of the assessment with the Slack family parcel being excluded. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye. Reed explained that the motion was only to move forward with assessment process.

Darleen Sanderson, a citizen of Iron County, reported that she lived on 5900. She did receive notice and that all affected with the road assessment agreed to the chip seal road.

DISCUSSION AND REVIEW OF THE INDEPENDENT AUDIT REPORT FOR 2018 FISCAL YEAR (PRESENTED BY GABE MILLER AND RICK ROBERTS FROM KIMBALL & ROBERTS CPA)

Gabe Miller reported on the processes and procedures that were used to perform the 2018 audit. Gabe explained the responsibilities of management and auditors. Their main process of the audit was to evaluate and assess Iron County's functions. He reported that they were very impressed with the department heads and how things were handled. Gabe stated that Iron County should be prepared to receive calls from other counties for advice. The 2018 Audit was in accordance had an "Unmodified-clean" report. He reported on the Resolutions and Findings recommendations from the 2017 Audit. Those items that were resolved in 2018 were: Justice Court, Impact Fees, and Exceeding Budget Appropriations. Only one, Posting of Commission Minutes on time, would continue onto the 2020 Audit. Jon Whittaker stated that he had submitted a letter of the process improvements. Gabe noted that it was not uncommon for minutes to be posted late. He reported that Iron County was in good standing and had no current financial statement findings on the 2018 Audit. Rick Roberts reported that the audit had a very good outcome. He reported on the Management Discussion and Analyses Discussion. Some of the financial highlights that occurred during the year were: The Combined Total Net Position of Government and Business like activity as of December 31, 2018 was \$54.3M; \$14.8M in Unrestrictive Net Position; \$12.15M in Restricted Net Position; Sales Tax Revenue was up 8%; PILT was up 3%; TRT was up 2.5%; and the Iron County Courthouse was completed. The total Revenue from all sources, excluding component units, was \$40.39M. Michael Bleak made a motion to accept the results of the Iron County Independent Audit Report for the 2018 Fiscal year. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL FOR A 2019-2020 MEMORANDUM OF AGREEMENT FOR THE BOOKMOBILE SERVICE WITH THE UTAH STATE LIBRARY

Dan Jessen explained that this Memorandum of Agreement was reviewed each year. The agreement would allow the Bookmobile to operate July 10th through June of 2020, not to exceed \$142,000. Paul Cozzens made a motion to approve the 2019-2020 Memorandum of Agreement for the Bookmobile service with the Utah State Library. Second by Michael Bleak . Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF AN EMERGENCY AND DISASTER SITUATIONS MEMORANDUM OF UNDERSTANDING BETWEEN ENOCH CITY AND IRON COUNTY

George Colson explained that this was a continuation of an Agreement of Understanding between Enoch City and Iron County. Michael Bleak made a motion to approve the Emergency and Disaster Situations Memorandum of Understanding between Enoch City and Iron County. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker presented for approval a 2.5 percent pay increase for Rex Dungan in the Assessor’s Office, effective May 19th. Cindy Bulloch noted that Rex had completed certification and testing of the General Real Property Appraiser. This was not a promotion but an increase in salary. Rex completed the certification on March 16 which was the reason for the pay increase to be backdated. Paul Cozzens made a motion to approve a pay increase of 2.5 percent for Rex Dungan in the Assessor’s Office, effective date backdated to the pay period beginning May 19th. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion Walker presented the new hire of Louise Parker as a Part-time Assistant Cook for Council on Aging (COA), effective July, 23rd for approval. This was a backfill of a vacant position. Adrion Walker presented the new hire of Tyler Hoyt as a Landfill Technician for the Landfill, effective July 29th, for approval. This was a backfill of a vacant position. Michael Bleak made a motion to approve new hires Louise Parker and Tyler Hoyt as presented by Adrion Walker. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.


Adrion Walker presented a status change and promotion for Jaren Ford from a Part-time Bailiff to a Full-time Deputy with the associated pay increase in the Sheriff Department, effective July 14th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve the promotion of Jaren Ford from Part-time Bailiff to Full-time Deputy in the Sheriff Department as presented by Adrion Walker. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.


DISCUSSION REGARDING THE CHARACTER, PROFESSIONAL COMPETENCE, PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL. NOTE: THIS PORTION OF THE MEETING MAY BE CLOSED PER UCA § 52-4-205 (a)

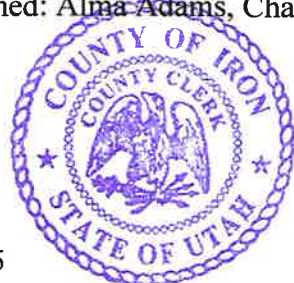
Michael Bleak made a motion to enter into a closed session regarding the character, professional competence, physical or mental health of an individual per UCA § 52-4-205(a). Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, 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(a) for discussion regarding the character, professional competence, physical or mental health of an individual.


Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk

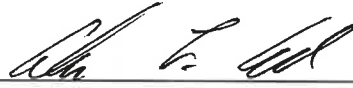


NON-DELEGATED ITEMS

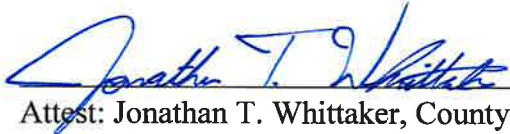
No Non-Delegated items were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

August 12, 2019

Minutes of the Iron County Commission meeting convened at 9:00 a.m. August 12, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Chad Dotson	County Attorney
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Paul Monroe.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held July 8, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Chad Dotson, Iron County Attorney, reported on the statistics of the Attorney Office. Chad reported that there was an increase in Juvenile sexting. There was a need to educate them of the consequences. He reported that there was an increase in felony cases which were at 323. The change of venue request for Opioid cases was continuing. It was slowing the process down and it was not a good idea for Southern Utah. Chad reported that the budget was on track. He concluded stating that he had a great staff and was appreciative of all their hard work.

Josh Meredith, Iron County Information Technology (IT), reported that the Disaster Program was into the second phase. Phase 3 was scheduled to begin in 2020. Josh reported that they had been working with the Iron County Auditor with Time Electronic processing for employees of Iron County. This program was a new way for the employees to sign in and out. Security cameras had been installed at the Visitor Center. The Iron County Courthouse would be next, then the USU Extension building. He reported that the budget was on track. They had begun the preliminary steps with the Attorney Office to implement new software for their office. Finally, Josh reported that IT was getting ready for the Iron County Fair.

Lori Eichelberger, Iron County Justice Court Administrator, reported that the budget was on track. Lori reported that she had signed an Interactive Voice Recognition (IVR) Agreement to be used with instant payments. The program was created for voice recognition when calling to make a payment. She reported that traffic citations were up. Lori explained that the Utah Highway Patrol had been putting more focus on equipment violations on automobiles since Safety Inspections were discontinued. It had brought an additional \$1200 in the first six months of 2019. Lori reported on the Monthly report comparisons for the first six months of 2018 and 2019. Revenue was up by \$49K. The Courts were very busy. She stated that the employees were accruing comp time with the extra work. Lori stated that her staff was working well together and she appreciated all the hard work put in.

Paul Monroe, Central Iron County Central Water Conservancy District (CICWCD) Manager, reported that the budget was on track. Paul reported on the current projects that the CICWCD was working on. Some of those were: an environmental impact statement to analyze the effect of taking water from Pine Valley; a water needs assessment and financial business plan with Cedar City, Enoch City, and Kanarrville. He explained that Cedar Highlands had a well but there was a very high iron content and there would have to be an iron treatment put into the well. Chekshani area did have one well and they were working to put in a second well. The new housing could only be built with plastic piping because hard water was dissolving metal pipes in the existing homes. Paul reported that the annual Water Festival had just concluded and was a success. They were preparing for the 4th Grade water fair. He reported that they had created a Water Advisory Committee. The committee had 25 key members representing businesses and industries from the community. The committee would make recommendations to CICWCD Board.

Paul Cozzens, Iron County Commissioner, reported the commissioners had lunch with the Miss Iron County Contestants. On August 10th Jessica Sahagun was crowned the new Miss Iron County. The new Miss Iron County Outstanding Teen was Reagan Anderson. Paul reported that the commissioners were able to travel to East Zion National Park. While there, they visited with Congressman Stewart regarding a reservation system or being able to redirect visitors to other areas. They also traveled to Hancock Peak with Congressman Stewart and had a discussion regarding being more proactive in forest management.

Alma Adams, Iron County Commissioner, reported that he was very appreciative of Congressman Stewart. Alma reported that he had received an e-mail from Jonathan Scheffield with National Association of Counties (NACo) that announced the US Fish & Wildlife Service was making changes to the Endangered Species Act "4D Rule." This allowed "take" of endangered species. Threatened Species would no longer be listed under Endangered Species. He reported that he had received an e-mail from Rebecca Diehl of the Governor's Office for Economic Development regarding a grant. The grant was called Rural Economic Development Incentive. The grant would give businesses \$4,000 to \$6,000 for each new full-time position paying at least 110% of the county's average wage.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, reported on the role of the five District Entities and the Iron County Commissioners. He was concerned that three out of five District Entities were comprised of the same three individuals. He was also concerned with the level of checks and balances.

PUBLIC HEARING AND POSSIBLE ACTION FOR PROPOSED ROAD VACATION/PARTIAL VACATED AND AMENDMENT PLAT OF THE CASTLE TOWNSITE

Reed Erickson, Iron County Planner, explained that this was to vacate the alley in block 12 in the Castle Townsite (Newcastle). The alley property would be divided between the property owners.

Alma Adams, Iron County Commission Chair, declared the public hearing regarding the proposed road vacation/partial vacated and amendment plat of the Castle Townsite open. No comments were offered. Alma Adams declared the public hearing closed.

Paul Cozzens made a motion to approve the road vacation (alleys in Block 12 between Center Street & 100 South and 100 West & 200 West Castle Townsite) partial vacated and amendment plat of the Castle Townsite, Block 12 Castle Townsite Survey. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC HEARING AND POSSIBLE ACTION REGARDING ORDINANCE 2019-7, AMENDMENT TO IRON COUNTY CODE 13-12-030, RELATED TO SEWER CONNECTION REQUIREMENTS FOR EXISTING DWELLINGS OR FACILITIES WHEN CENTRAL SEWER BECOMES AVAILABLE

Reed explained that this was a request from Monte Vista Subdivision Units 1 and 3 to be allowed to tie onto the new Cedar City sewer line coming down 3200 West. The current ordinance connection required 5 years to connect onto an available sewer coming into the area for existing homes. The Monte Vista group would use USDA funding with grants. The amendment would allow homeowners to connect onto an available sewer within 10 years rather than 5. Alma Adams, Iron County Commission Chair, declared the public hearing regarding Ordinance 2019-7, amendment to Iron County Code 13.12.030 open. No comments were offered. Alma Adams declared the public hearing closed. Michael Bleak made a motion to approve Iron County Ordinance 2019-7, Amendment to Iron County Code 12.12.030, related to Sewer Connection Requirements for Existing Dwellings or Facilities when Central Sewer becomes available to connect within 10 years rather than 5. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC HEARING AND POSSIBLE ACTION REGARDING A POSSIBLE ZONE CHANGE FROM COMMERCIAL TO RESIDENTIAL 5. LOCATED AT APPROXIMATELY 3245 N BULLDOG ROAD, CEDAR CITY, UTAH. APPROXIMATELY 7.07 ACRES WITH THE SE ¼ SECTION 22, T35S, R11W, SLB&M, IRON COUNTY, UTAH. (A portion of APN: D-634-2, 634-3 and all of parcels D-634-16 & D-634-6).

Reed Erickson explained that there were three parcels zoned commercial along Bulldog Road. Bulldog Meats was no longer operating from that location so there was no longer a need for the parcels to be zoned commercial. The parcels were currently used as residential. The Planning & Zoning Committee had recommended rezoning from Commercial to Residential 5.

Alma Adams, Iron County Commission Chair, declared the public hearing regarding the possible zone change as presented open. No comments were offered. Alma Adams declared public hearing closed.

Paul Cozzens made a motion to approve the zone change from Commercial to Residential 5 as presented by Reed Erickson. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC HEARING REGARDING AMENDMENTS TO THE IRON COUNTY 2019 BUDGET

Dan Jessen, Iron County Auditor, reported on the mid-year amendments to the Iron County 2019 Budget. Dan reported that the overall budget changed from \$45M to \$49.6M. A majority of the changes were in capital projects. He explained that Iron County has a belief in transparency. Anyone was welcome to come to his office to discuss anything on the budget.

Alma Adams, Iron County Commission Chair, declared the public hearing regarding the amendments to the Iron County 2019 Budget open. Kay Ayes, a citizen of Iron County, explained that she settled in Enoch and was very impressed with iron County and the roads. She was impressed with Maria Twitchell and the work she has done with Iron County Tourism. Her friends that had visited were never disappointed and the commissioners were doing a great job. Alma Adams declared the public hearing closed.

RESOLUTION 2019-4 ADOPTING THE IRON COUNTY 2019 BUDGET ADJUSTMENTS

Paul Cozzens made a motion to approve Iron County Resolution 2019-4 adopting the Iron County 2019 Budget adjustments as presented by Dan Jessen. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

REQUEST FOR PROPERTY TAX FORGIVENESS FOR APN: A-840-6-14

Kay Ayers, property owner, explained that there was a flood from leaks coming from the pipes being eaten through at her property. The water affected the dining room wall, floor, and the water line out to the road. Her insurance covered the replacement of the waterline but not the repair of the drywall or the flooring. Kay reported that she saved and paid for the repairs and new flooring. She sent in the widow reduction application in September and discovered that Christene Lowder had never received it. She had paid \$280 to make the tax payment and was asking for tax forgiveness for 2018. Jon Whittaker explained that Mrs. Ayers had received the Circuit Breaker abatement off and on for years. The deadline had passed to apply for the Circuit Breaker abatement and the Commissioners could only forgive the taxes. The tax owed was \$1100. Alma Adams recommended the forgiveness since she had a history of receiving the Circuit Breaker and making an effort to pay the taxes. Michael Bleak made a motion to approve the tax forgiveness for APN: A-840-6-14 in the amount of \$793.05. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RATIFICATION OF CONTINUED STATE OF UTAH CONTRACT FOR BAILIFF & PERIMETER SECURITY FOR THE FIFTH DISTRICT AND JUVENILE COURTS

Jon Whittaker reported that this was the annual renewal for the perimeter security contract with the district courts. Alma Adams explained that the contract was previously approved and the motion was for ratification. Paul Cozzens made a motion to approve the ratification of the continued State of Utah contract for Bailiff & Perimeter Security for the Fifth District and Juvenile Courts. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

COUNCIL ON AGING (COA) BUDGET AND CONTRACT FOR FISCAL YEAR (FY) 2019-2020

Alma Adams explained that the COA Budget and Contract for FY 2019 was \$285,723. The Budget and Contract for FY 2020 was \$292,064. Curtis Crawford explained, by speaker phone, that there would be an increase of approximately \$7,000. The reason for the increase was to be able to meet their quota to the State and Government. Michael Bleak made a motion to approve the COA Budget and Contract for FY 2019-2020 in the amount of \$292,064. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND REQUEST POLICY APPROVAL TO ROLL TAX ROLL INTO TREASURER'S OFFICE UPON BALANCE OF BOARD OF EQUALIZATION (BOE) ADJUSTMENTS PRIOR TO FORMAL COMMISSION APPROVAL

Carrie Christiansen, Iron County Deputy Auditor/Payroll, explained that this was an informal request for this transfer so Iron County Treasurer, Nicole Rosenberg, could meet the statutory requirement for printing the bills. If the transfer were not made until the 14th of October, Nicole would not be able to meet that deadline. Paul Cozzens made a motion to approve rolling the tax roll into the Treasurer's Office upon the balance of the BOE adjustments prior to the formal commission approval. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

CONSIDER AND POSSIBLE APPROVAL OF THE RELEASE AGREEMENT WITH CEDAR CITY REGARDING SEWAGE BACK-UP

Chad Dotson, Iron County Attorney, reported that there was a sewage backup in the jail. The backup did not cause any damage but required cleanup. The cost to Iron County was \$2,072. Cedar City had agreed to pay the bill. Michael Bleak made a motion to approve the release agreement with Cedar City regarding the sewage backup in the jail for \$2,072. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Abstained.

CONSIDER AND POSSIBLE APPROVAL OF AN AGREEMENT TO PROVIDE LAW ENFORCEMENT SERVICES FOR CEDAR HIGHLANDS TOWN

Chad Dotson explained that Cedar Highlands was in favor of the law enforcement coverage. There were still some issues to be discussed regarding cost, prosecution, and use of the courts. Chad reported that Cedar Highlands was in favor of a contract for Law Enforcement coverage. The new mayor was Jim Byler. Paul Cozzens made a motion to approve the agreement to provide Law Enforcement services for Cedar Highlands Town in the amount of \$14,732.50 for a half-year coverage in 2019. The mayor's name on the contract would need to be changed and signed by the new mayor, Jim Byler. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A STANDARD TESTING FOR BILINGUAL PAY ELIGIBILITY AND SET NUMBER OF ELIGIBLE EMPLOYEES ALLOWED PER DEPARTMENT, IN ACCORDANCE WITH THE CURRENT BILINGUAL PAY POLICY

Adrienne Walker, Iron County Human Resource (HR) Director, explained the policy of bilingual testing and pay. At the time there were 7 employees that were receiving bilingual pay

in the amount of \$650 per year, or 31 cents per hour. When reviewing the policy, the Iron County Commission was to approve who would receive the bilingual pay. It also stated that the HR Director shall be responsible coordinating Commission approval of the bilingual position(s) designation and proficiency testing and certification. He was also responsible for administering the Bilingual Pay Policy. Adrion explained that he was just following up on the policy and there were no changes to it. The employee must take and pass a proficiency test with a minimum score of 70 percent. There needed to be a staff plan. Alma Adams asked Adrion to meet with the Department Heads to assess their need of a bilingual employee and staff plan and return and report to the commission at a later date. No action was taken.

DISCUSSION AND POSSIBLE APPROVAL OF SECTION 29, AMENDED/UPDATED SICK LEAVE POLICY

Adrion explained Section 29 regarding the sick leave policy. The proposed revisions to the current policy were to better clarify and coincide with the Family & Medical Leave Act (FMLA) requirements. The HR office would now provide notice to the employee of the requirements and a clear explanation for extended leave. Revisions under Section D added “step” family members to be included for funeral leave. Under Section B-Use of sick leave, the revisions were guided by FMLA requirements. There was Job Protection for 12 weeks for extended sick/absence due to illness or accident. Iron County could only provide what FMLA required. If the leave time had expired the employee would be assisted to long term disability and to the right benefit coverage. Michael Bleak made a motion to approve the update of Section 29 regarding the sick leave policy as presented by Adrion. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

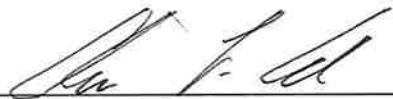
Adrion Walker presented the promotion of Nathan Houchen from Corporal to Sergeant in the Sheriff Department, with the associated pay increase, effective August 11th. This was a backfill of a vacant position. Adrion presented the new hire of Wendy Jessen as a Full-time Victim Advocate in the Sheriff Department, effective August 25th. This was a new position that was grant funded by the Victims of Crimes Act (VOCA) Grant. The position would be subject to continued grand funding. Paul Cozzens made a motion to approve the promotion of Nathan Houchen from Corporal to Sergeant in the Sheriff Department with the associated pay increase and the new hire of Wendy Jessen as a Full-time Victim Advocate in the Sheriff Department, the salary to be funded by the VOCA Grant. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

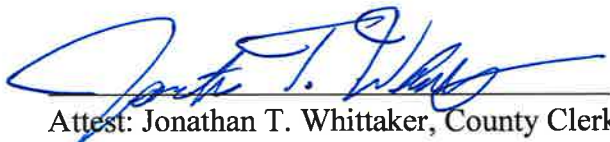
DISCUSSION REGARDING THE POSSIBLE ACQUISITION OF ROAD RIGHT-OF-WAY AND PROPERTY. Note, this portion of the meeting may be closed per UCA § 52-4-205(d).

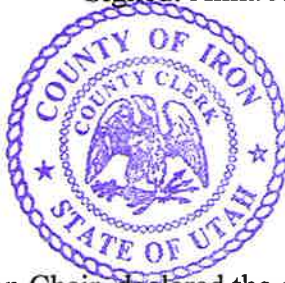
Michael Bleak, Iron County Commissioner, made a motion to move into a closed session regarding the possible acquisition of a road right-of-way and property in accordance with UCA § 52-4-205(d). Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, 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 possible acquisition of road right-of-way and property.


Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk




Alma Adams, Iron County Commission Chair, declared the closed session adjourned.

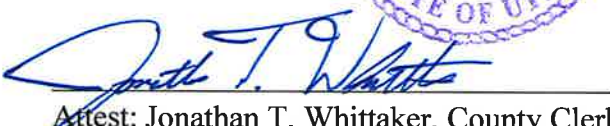
STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION. Note, this portion of the meeting may be close per UCA §52-4-205(c).

Paul Cozzens, Iron County Commissioner, made a motion to enter into a closed session to discuss strategy regarding the purchase, exchange, or lease of real property in accordance with UCA §52-4-205(c). Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, 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(c) for the purpose of discussing the purchase, exchange, or lease of real property.


Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk



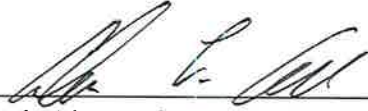
Alma Adams, Iron County Commission Chair, declared the closed session adjourned.

NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
AUGUST 26, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. August 26, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

SYNOPSIS

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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 Michael Bleak.

DEPARTMENTAL REPORTS

Jonathan Whittaker, Iron County Clerk, reported the budget was on track. The 2019 Municipal Elections were held in Cedar City and Kanarraville on August 13th. Jon reported that he had purchased new electronic poll pads from KnowInk. The tablets would serve check in machines for voters at vote centers. He made a presentation to the commissioners on the process for voter check in on the poll pad. Jon reported that there was a 32.9 percent voter turnout in Cedar City and 58.1 percent in Kanarraville. Kanarraville had been by mail only for some time, which helped with their turnout. Alma Adams asked what would happen if the electricity went out during the elections. Jon explained that all of the equipment had batteries, allowing the polling places to continue. If there were a problem with the internet the counting of the ballots would stop until the problem was resolved. Marriage License's were at the normal rate for this time of year. Passports continued at a steady pace. He reported that the Landfill doing well and the Clerk's Office had a great working relationship with Bruce Anderson. The Clerk's Office had been coordinating with Ryan Riddle to print fire prevention notices on the back of solid waste billings. The cost was absorbed through the Fire budget.

George Colson, Iron County Emergency Management Coordinator, reported that the budget was on track. Vehicle repairs are up vehicle budget but he transferred money around to keep the budget on track. George reported that he had conversations with Commissioner Cozzens regarding a permanent office location. The Emergency Operations Center (EOC) committee was moving forward. 911 would become part of the group with their own viability in an emergency and be included with a mobile trailer to dispatch during an emergency.

Adrion Walker, Iron County Human Resource (HR)/Public Defender Director, reported that the budget was on track for HR. Adrion presented an overview of hiring in Iron County since his last report. Employee turnover for the 2nd Quarter was at 4.8 percent. This was a healthy percentage. Workers Compensation was trending excellent at 0.87 percent. He stated that the downward trend was a tribute to Department Heads and the Iron County work force commitment to be safe. Medical usage was on track to having a reasonable renewal. Adrion reported that Iron County's medical insurance provider, Public Employee Health Plan (PEHP) provided a Biometric Training for Iron County employees. There was an incentive of receiving \$50 for participation. He reported that the Employee Evaluation forms would soon be going out to department heads.

Adrion Walker reported that this would be his last time reporting for the Public Defender. It would be turned over to the new Public Defense Coordinator. The Coordinator would help with the increasing work load facing Iron County Defenders. Appeals continued to go to the Public Defender's Office and all was operating better than anticipated. Adrion reported the Public Defender Budget was on track. He concluded by reporting that a grant in the amount of \$90K was received to pay the salary for the new Defense Coordinator.

Danny Stewart, Iron County Economic Development Director, reported that on June 14th, GOEX Corporation had plans for new operations, adding up to 100 jobs and an estimated \$15M in capital investment at Port 15 in Cedar City. GOEX was based in Janesville, Wisconsin. It operated the most advanced custom plastic sheet extrusion facilities in the industry. The company's products and materials serve the graphics, medical and food packaging industries. The new facility would help better serve the customers in the western areas of the county. Danny reported that the Office of Economic Development had worked with the Economic Development Corporation of Utah (EDCUtah) to create a local incentive matrix, based on a number of factors. If a company came to Iron County and met all factors, and it fit Cedar City needs, it could qualify for a tax incentive. He reported that based on data from Workforce Services, Iron County had added 1,300 new non-farm jobs between March 2018 and March 2019, which was 6.9 percent job growth. The service industry created the highest number of jobs with construction following close behind. Iron County average wages increased slightly over last year, but still lagged behind the state in wages. Danny announced that a Utah Rural Summit would be held on Tuesday, September 3rd at Southern Utah University. With the passage of SB 172 in the recent legislative session, the Governor's Office of Economic Development (GOED) was charged with August 26, 2019

developing an economic development strategic plan by October 1st. He reported that he had been coordinating meetings between Brian Head Town & Resort and a number of developers in northern Utah. He met with several groups in Salt Lake City and made at least one good connection that could result in some significant projects in Brian Head in the next few years. He had been working with Reed Erickson on a campaign (SunPower 24/7) to educate the community, the rest of the state, and companies from across the USA about the amazing solar resource available in Iron County. Danny reported that he was working on two state grant programs: Rural Co-working space and innovation Center Grant Program and the Rural Rapid Manufacturing Grant Program.

DISCUSSION AND POSSIBLE APPROVAL OF A LOCAL CONSENT FOR A SINGLE EVENT PERMIT FOR THE IRON SPRINGS FUN RUN

Laurie Laws, Fun Run Coordinator, explained that the Iron Springs Fun Run fund raiser would benefit all Iron County schools. Laurie reported that they had followed through with the Department of Alcoholic Beverage Control rules. Paul Cozzens made a motion to approve the consent for a Single Event Permit for the Iron Springs Fun Run. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC HEARING TO RECEIVE COMMENTS REGARDING AN ASSESSMENT AREA, 5900 NORTH (HIDDEN VALLEY LANE) TO CHIP SEAL ROADS

Reed Erickson, Iron County Planner, explained the public hearing would begin a 60 day protest period. The assessment area was on 5900 North (Hidden Valley Lane). There were 21 properties that have frontage on the road. Notice had been sent out to all who would be affected by the assessment. Reed reported that the State Statue required 9, which was 40 percent, to protest to kill the project. Alma Adams, Iron County Commission Chair, declared the public hearing regarding the assessment area open.

Roy Quante, a resident of Iron County, explained that he lived on 2300. He asked if 5900 North was considered a county road. Alma Adams reported that it was a county road but not maintained by the county. Roy expressed that it was unfair to anyone in the Hidden Valley Subdivision to pay to bring the road up to the R2 zoning standard, since it was zoned R5. He stated that he did not use the road and that only the side of his property was on 5900 North. There was no benefit to him for the assessment.

Gus Georgopolous, a citizen of Iron County, explained that he lived on 5900. He said that after 29 years of paying taxes the county should pay for part of the assessment. The lowest rate possible should be considered. Reed Erickson explained that the rates were only an engineer's estimate and the best rate possible would be used.

Tina Miner, a citizen of Iron County, reported that she was opposed to the project. When she first signed the papers she understood that the cost would be approximately \$600 per year and now it would be closer to \$1000 for 10 years. Ms. Miner stated that the assessment was hard on a fixed income and she was voting no.

Mary Ellen Enders, a citizen of Iron County, reported that she lived on 2300 North and the 5900 road assessment would be no benefit to her. She was not included in the first mailing and said it was not fair that she was excluded. Mary explained that 5900 north was a county road and that the county vehicles ruin the road. The road should be upgraded to gravel and not chip seal. She reported that she was in protest of Resolution 2009-7. She explained that the resolution was not the same in the minutes compared to the copy that was posted, insisting that the signature was "exactly" the same. She stated that she was not accusing anyone of misconduct. She said she was sent a copy of the unapproved resolution. Jon Whittaker presented the email that he had sent to Ms. Ender and explained that it was the correct resolution. Reed explained that the previous resolution did not include a chart that allowed for a more relaxed standard when improving roads by way of an Assessment Area. He then explained the subdivision wording of the resolution of section 110. Alma Adams explained that the resolution was in place and was not going to change.

Bill Pressgrove, a citizen of Iron County, stated that he did not live anywhere near 5900 North but understood the citizens' concerns for the assessment of the road. Due to experience with chip seal, he noted that the road base work would raise the level of the roads and if there were new pot holes they could be fixed before the chip seal was installed.

Mary Ellen Enders stated that she was not sure the protest percentage was right at 9 and felt it should be 8 percent. Reed once again explained that the protest percentage was determined by statute.

Roy Quante said that he still did not understand why he was going to be included in the assessment. He was concerned that the residents were misinformed about the price difference between the chip seal and gravel. He stated that maybe his only recourse was to take it to court to protect his rights. Roy reported that he did appreciate that he would only be charged half of the assessment. Alma Adams stated that if the assessment were defeated they could come back and reapply for the gravel.

Michael Edwards, Iron County Deputy Attorney, suggested that everyone get back to the issue at hand and to follow the agenda on comments.

Tina Miner stated that she was misinformed regarding the application to get bids for each process. Steve Platt, Iron County Engineer, reported that the bid would be for the chip seal as listed in the application. The road department would review the bids and the lowest bidder would be awarded contract. Alma Adams noted that her argument was with the person who submitted the application and her neighbors.

Not further comments were offered. Alma Adams, Iron County Commission Chair, declared the hearing closed.

PUBLIC HEARING AND POSSIBLE ACTION FOR PROPOSED PARTIAL VACATED & AMENDMENT PLAT OF GARYVILLE TOWNSITE, GARYVILLE TOWNSITE SURVEY SOUTH OF US HWY 56, BERYL, UT

Reed Erickson explained that the public hearing date was posted one month ago. He noted that not all of signatures were on the plat, but the public hearing could still be held without the signatures. Reed reported that one owner of the property was requesting the partial plat vacation.

Alma Adams, Iron County Commission Chair, declared the public hearing regarding the proposed partial vacated & amendment plat of Garyville Townsite open. Cindy Bulloch asked if the road was county owned. Reed stated that the road was dedicated to Iron County when the plat was dedicated. Iron County was following the state requirements. Alma Adams, Iron County Commission Chair, declared the public hearing closed. Michael Bleak made a motion to approve the partial vacated & amendment plat of Garyville Townsite, Garyville Townsite Survey south of Highway 56, Beryl, Utah. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, reported that citizens were sovereign citizens. Each had their inalienable rights to protect their own property. He stated that he did not have the right to demand or force a person to do something with their own property. The Iron County Commission does not have the right to force another person to do something with his property. There needed to be a discussion regarding the rescission of the Table of Uses.

RESOLUTION 2019-5 APPOINTING A BOARD OF EQUALIZATION (BOE) FOR THE SUNSET SUBDIVISION ASSESSMENT AREA; SETTING THE DATES FOR THE BOE TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE COUNTY CLERK TO PUBLISH AND MAIL A NOTICE OF ASSESSMENT AND BOE HEARINGS; AND RELATED MATTERS

Reed Erickson explained there were two reasons for Resolution 2019-5, first to determine who would be appointed to the BOE; and second to set the dates for the hearings. Reed explained that there were three options of who could comprise the BOE: First, The Iron County Commissioners; Second 2 Commissioners plus 1 of either the Secretary or the County Treasurer or Engineer; Third, 1 Commissioner, the County Engineer, and the Treasurer. The resolution lists Option #3 as the preferred composition. This BOE for the Sunset Subdivision would evaluate the assessments that would be leveled to each of the 58 properties equally. He reported that they anticipate that all construction would be completed by the end of September. The BOE would then hear complaints and protests concerning the assessment. Time frame of the hearing requirements of the BOE was 35 plus day before the hearings. Steve Platt explained that he anticipated the bid received from Mel Clark would be the same, but the chips and oil had not been laid yet. The project was on unit cost and could not have an exact cost until the project was completed. Reed suggested the BOE hold the hearings on Nov 6, 7, 8th. Cindy Bulloch asked that the purpose of the hearings be clarified to make sure owners understood that this was not a protest hearing regarding their property valuation. Matt Dugdale, Bond Council from George K. Baum and Company, explained that there were several options in securing a bond. Typically an Assessment Bond was used. The lender would be buying Iron County's ability to levee an assessment on the property. They structure an Assessment Bond with a Reserve fund with approximately one year of payments. The Reserve Fund would then be set aside for the final payment of the bond. If the assessment falls through Iron County would become responsible to pay and could use the reserve fund. Matt reported that the interest rate could be competitive as the rates were lower at the time.

Dan Brummer, Sunset Home Owners Association, ask how long would they have to pay to the reserve. Steve Platt reported that the property owners have been told it would be 20 years. Matt stated that it could be possible that no bank would loan for 20 years. Most banks would only go to 15 years.

Reed Erickson reviewed the schedule and found that Oct 2nd would be the beginning of the 35 days and recommend approving the resolution. Paul Cozzens made a motion to adopt Resolution 2019-5 as presented by Reed Erickson, with the members of the BOE being comprised of Commissioner Alma Adams, Steve Platt the Iron County Engineer, and Iron County Treasurer Nicole Rosenberg. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY RESOLUTION 2019-5

A RESOLUTION OF THE COUNTY COMMISSION OF IRON COUNTY, UTAH, APPOINTING A BOARD OF EQUALIZATION FOR THE SUNSET SUBDIVISION ASSESSMENT AREA; SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE COUNTY CLERK TO PUBLISH AND MAIL A NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARINGS; AND RELATED MATTERS.

Whereas, the County Commission of Iron County, Utah (the "County Commission"), has previously published notice of its intention to designate the Iron County, Utah Sunset Subdivision Assessment Area (the "Assessment Area") and held a hearing before the County

Commission on March 11, 2019 (the “Public Hearing”), all as required by the Assessment Area Act, Title 11, Chapter 42, Utah Code Annotated 1953, as amended (the “Act”); and

Whereas, up until 5:00 p.m. on May 10, 2019, persons having an interest in the Assessment Area were allowed to protest the proposed improvements and/or the designation of the Assessment Area; and

Whereas, after protests against the designation of the Assessment Area were counted and considered, the County Commission designated the Assessment Area by Ordinance adopted on May 13, 2019; and

Whereas, the [County Engineer] has prepared the proposed assessment list that pertains to all of the properties within the Assessment Area; and

Whereas, the County Commission desires to establish a board of equalization for the purpose of considering any objections and corrections to the proposed assessment list:

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

As required by law, a Board of Equalization for the Assessment Area is hereby appointed, consisting of one member of the County Commission or a representative of the County Commission, a representative of the County Treasurer’s office, and a representative of the County Engineer’s office (the “Board”) as follows:

Alma L. Adams	Member of County Commission or a representative
Nicole Rosenberg	Representative of County Treasurer’s office
Stephen Platt	Representative of County Engineer’s office

The Board shall sit as the Board of Equalization on the special assessments proposed to be levied and assessed on the property within the Assessment Area and will meet in the Iron County Courthouse Commission Chambers located at 68 South 100 East, Parowan, Utah on November 6, 2019, between the hours of [9:00 and 10:00 am]; on November 7, 2019 between the hours of [10:00 and 11:00 a.m.]; and on November 8, 2019, between the hours of [1:00 and 2:00 pm] to hear and consider any objections to and make corrections of any proposed assessments that the Board may deem unequal, inequitable, or unjust.

The County Clerk is hereby authorized and directed to publish and mail, as provided by law and the ordinances of the County, a notice of meetings of the Board, said notice to be in substantially the following form:

NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARINGS

NOTICE IS HEREBY GIVEN that the assessment list for the Iron County, Utah Sunset Subdivision Assessment Area (the “Assessment Area”) has now been completed and is available for examination at the Iron County Clerk’s office located at 68 South 100 East, Parowan, Utah. The County Commission has appointed a Board of Equalization to hear and consider objections to the proposed assessments to be levied within the Assessment Area relating to (a) the amount of benefits accruing to the property proposed to be assessed or (b) the amount of the proposed assessment.

The assessments levied are for the purpose paying for the proposed improvements, which include, but are not limited to, road improvements to the Iron County chip seal standard within all existing rights of way in the Assessment Area (the “Improvements”) (for the benefit of the properties within the Assessment Area). The total amount of the assessments to be levied against benefitted property within Assessment Area is expected to be \$1,154,255 and will be based upon a per lot basis (the “Assessment”). The estimated cost is each property’s proportionate share of

the Improvements applicable to the property as described in this notice. [Iron County, Utah (the “County”) will not contribute any of its own funds for the Improvements.]

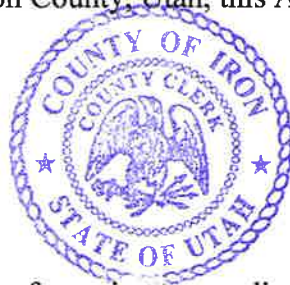
As required by law, three persons have been duly appointed to act as the Board of Equalization on the assessments proposed to be levied on the property benefited within the Assessment Area. The Board of Equalization for assessments proposed to be levied on the affected property within the Assessment Area will meet in the Iron County Courthouse Commission Chambers located at 68 South 100 East, Parowan, Utah on November 6, 2019, between the hours of 9:00 and 10:00 am; on November 7, 2019 between the hours of 10:00 and 11:00 a.m.; and on November 8, 2019, between the hours of 1:00 and 2:00 pm to hear and consider any objections to and make any corrections of any proposed assessments that the Board may deem unequal, inequitable, or unjust. **** ANY DATES BETWEEN SEPTEMBER 20 AND OCTOBER 3RD****

The assessment list and amounts of the proposed assessment against each parcel of property have been completed and are available for public examination from 8:00 a.m. to 5:00 p.m. at the Office of the County Clerk, located at 68 South 100 East, Parowan, Utah.

Appeal from a decision of the Board of Equalization may be taken to the County Commission of the County by filing with the County Commission a written notice of appeal in the office of the County Clerk within fifteen (15) days after the date the Board’s final report to the County Commission is mailed to the affected property owners.

By resolution of the County Commission of Iron County, Utah, this August 26, 2019.


Jonathan T. Whittaker – Iron County Clerk



The County Clerk is hereby directed to enter the foregoing proceedings upon the records of the County, and to cause the notice set forth in Section 3 to be published (i) in one issue of the Spectrum, a newspaper published in the County and having general circulation therein, the publication to be at least twenty (20) and not more than thirty-five (35) days prior to the date on which the Board of Equalization will begin hearings, and (ii) on the Utah Public Notice Website created in Utah Code, Section 63F-1-701 for at least 35 days immediately before the date on which the Board of Equalization will begin hearings.

A copy of the notice set forth in Section 3 above shall not later than ten (10) days after the publication of such notice in the Spectrum, be mailed, postage prepaid, to each owner of property to be assessed within the Assessment Area at the last known address of such owner using for such purpose the names and addresses appearing on the last completed real property assessment rolls of Iron County. In addition, a copy of such notice shall be addressed to “Owner” and shall be so mailed, addressed to the street number (or post office box, rural route number, or other mailing address of the property, if a street number has not been assigned) of each of the improved properties to be affected by the assessment.


After due consideration of said resolution by the County Commission, Commissioner Cozzens moved and Commissioner Bleak seconded its adoption and the same was adopted by the following vote:

AYE:

Alma L. Adams
Michael P. Bleak
Paul Cozzens

NAY:

ADOPTED AND APPROVED this August 26th day, 2019.

By: 
Alma L. Adams - Commission Chair

ATTEST:

By: 
Jonathan T. Whittaker – Iron County Clerk



Alma L. Adams _Aye_
Michael P. Bleak _Aye_
Paul Cozzens _Aye_

RESOLUTION 2019-6 DESIGNATING THE BRIAN HEAD/DRY LAKES SNOWMOBILE TRAIL

Bret Howser, Brian Head Town Manager, explained that the Brian Head residents would like the Iron County Commission to consider officially designating a snowmobile trail along Dry Lakes Road from 900 North to High Mountain Drive by resolution. If the resolution were approved it would provide a measure of future predictability and stability for the residents, businesses, and guests in the Brian Head area and adjoining unincorporated county areas. The resolution would acknowledge that the snowmobile trail existed. The residents requested that Iron County help to groom the road for partial use. If there were shared right of ways signage would possibly be needed. Bret presented the commissioners an amended map of the snowmobile road. Michael Bleak made a motion to approve Resolution 2019-6 designating the Brian Head/Dry Lakes Snowmobile Trail as presented by Bret Howser. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY RESOLUTION 2019-6

A RESOLUTION OF THE IRON COUNTY COMMISSION DESIGNATING THE BRIAN HEAD – DRY LAKES SNOWMOBILE TRAIL.

Whereas, the Brian Head and Dry Lakes areas are known as a snowmobile recreation destination and that identified trails are an important factor in providing safe and enjoyable experiences to the residents and guest of those areas, and;

Whereas, the Iron County Commission recognizes the need to form a partnership with local, state and federal agencies in order to provide designated trail systems throughout the County linking communities for recreational and access purposes, and;


Whereas, the Iron County Commission also recognizes the contributions of the local businesses which provide recreational services important to our economy and in an effect to work with the local businesses and the community in order to enhance the recreational opportunities, and;

Whereas, the Iron County Commission acknowledges the demand in snowmobile travel throughout the Brian Head and Dry Lakes areas and proposes to preserve snowmobile access to these areas for current and future County residents and guest to enjoy,


Now Therefore, be it resolved by the Iron County Commission of Iron County, Utah that the Brain Head – Dry Lakes Snowmobile Trail (as presented in the attached map) is hereby designated as an official County snowmobile trail. The County is committed to preserving snowmobile access to the Dry Lakes area from Brain Head. Should a situation arise necessitating the clearing of snow from the designated route, the County will work in good faith with Brian Head Town and local snowmobile association and stakeholders to identify reasonable alternative routes.

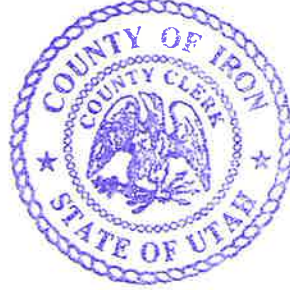
DATED this 26th day of August, 2019

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Alma L. Adams – Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



Alma L. Adams _Aye_
Michael P. Bleak _Aye_
Paul Cozzens _Aye_

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH “AT YOUR LEISURE (AYL) TO DEVELOP A 360 DEGREE PHOTO VIEW OF TWO OFF HIGHWAY VEHICLE (OHV) TRAILS IN IRON COUNTY

Mike Worthen, Iron County Natural Resource Manager, explained that the State Division of Parks and Recreation wanted to encourage more use of OHV trails. The 360 degree photo would be available to operate through Google Street View and other current and future platforms. The map could be used by the public to attract interest to the Color County OHV Trail System. Each 360 degree shoot would cost \$3,500, which Iron County would pay and be reimbursed from the State Division of Parks and Recreation. The agreement would be with AYL for doing the photo view. Paul Cozzens made a motion to approve an agreement with At Your Leisure to develop a 360 degree photo view of two OHV trails in Iron County that would operate through Google Street View and other current and future platforms in the amount of \$3,500. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND RECOGNITION OF EXCEPTIONAL EFFORTS DURING A RECENT MURDER INVESTIGATION AND TRIAL

Michael Bleak moved to strike the item due to time constraints.

PRESENTATION AND POSSIBLE APPROVAL OF AN IRON COUNTY INVESTMENT POLICY

Nicole Rosenberg, Iron County Treasurer, explained that she had previously brought the idea of an Iron County Investment Policy before the Commission. This was just a formality for presentation of the agreement to the Iron County Commissioners. Nicole reported that the policy had been reviewed by Mike Edwards. Michael Bleak made a motion to approve the Iron County Investment Policy as presented by Nicole Rosenberg. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker presented the possible transfer of Shelby McDonnell from Part-time Bailiff to Full-time Corrections Deputy with the associated pay increase, effective August 25th. Adrion Walker then presented the new hire of Christopher Perez as a Part-time Administrative Coordinator for the Children’s Justice Court (CJC), effective August 26th. This was a newly approved, grant funded position. Paul Cozzens made a motion to approve the transfer of Shelby McDonnell from Part-time Bailiff to Full-time Corrections Deputy with the associated pay increase, effective August 25th, and the new hire of Christopher Perez as a Part-time Administrative Coordinator for the Children’s Justice Court (CJC), effective August 26th, salary

provided by the VOCA Grant. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion presented an approval for Bilingual Pay for Trevor Mattson in the Assessor's Office, effective August 11th. Michel Bleak made a motion to approve Bilingual pay for Trevor Mattson in the Assessor's Office, effective August 11th. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion presented the possible promotion of Jeremy Truman as a Landfill Lead Technician for the Landfill Department, effective August 25th, with the associated 5 percent pay increase per Iron County policy. This would be a backfill of a vacant position. Paul Cozzens made a motion to approve the promotion of Jeremy Truman as a Landfill Lead Technician for the Landfill Department, effective August 25th, with the associated 5 percent pay increase per Iron County policy. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held July 22, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

No non-delegated items were discussed.

DISCUSSION REGARDING THE CHARACTER, PROFESSIONAL COMPETENCE, PHYSICAL, OR MENTAL HEALTH OF AN INDIVIDUAL. Note: This portion of the meeting may be closed per UCA § 52-4-205(a)

Paul Cozzens made a motion to move into a closed session to discuss the character, professional competence, physical, or mental health of an individual. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, 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(a) for the purpose of discussing regarding the character, professional competence, physical, or mental health of an individual.



Signed: Alma Adams, Chairman

Alma Adams, Iron County Commission Chair, declared the closed session adjourned.

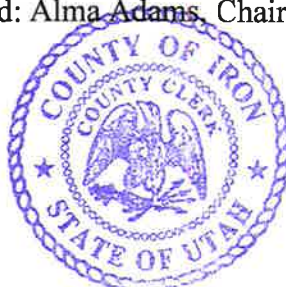
ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY SPECIAL COMMISSION MEETING
SEPTEMBER 3, 2019**

Minutes of the Special Iron County Commission meeting convened at 11:00 a.m. September 3, 2019 in The East Board Room at the Iron County Tourism Building, 581 North Main, Cedar City, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor

SYNOPSIS


ADJOURNMENT3
DISCUSSION OF CENTRALLY ASSESSED CROSS-APPEAL LITIGATION1

DISCUSSION REGARDING PENDING CROSS-APPEALS OF CENTRALLY ASSESSED PARCELS WHOSE VALUE HAVE BEEN APPEALED IN 2019. Note: This portion of the meeting may be closed per UCA § 52-4-205-1(c)

Alma Adams explained that the purpose of the meeting was to discuss whether to join “Cross-Appeal” litigation in response to certain 2019 appeals of centrally assessed parcels. Paul Cozzens made a motion to close the meeting in order to discuss pending or imminent litigation. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

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

I, Alma Adams, Chairman of the Iron County Utah Commission, hereby certify that the purpose of the closed session convened was conducted in accordance with UCA §52-4-205-1(c) for the purpose of discussing regarding the character, professional competence, physical, or mental health of an individual.


Signed: Alma Adams, Chairman

Alma Adams, Iron County Commission Chair, declared the closed session adjourned.

RESOLUTION 2019-7, AUTHORIZING THE CROSS APPEAL OF 2019 CENTRALLY ASSESSED PROPERTIES.

Paul Cozzens made a motion to approve Iron County Resolution 2019-7, Authorizing the Cross Appeal of 2019 Centrally Assessed Properties, clarifying that the entities to be included on the Resolution be: Century Link, Inc., T-Mobile US, Inc., Black Iron, LLC, UNEV Pipeline, LLC, PacifiCorp, Inc., Union Pacific Railroad Co., Questar Gas Co., and International Power Agency.

IRON COUNTY RESOLUTION 2019-7

A RESOLUTION OF THE IRON COUNTY COMMISSION APPROVING THE FILING OF CROSS-APPEALS TO 2019 APPEALS FILED BY TAXPAYERS SUBJECT TO CENTRAL ASSESSMENT.

Whereas, Utah Code Ann. § 59-2-1007 allows a county to object to an assessment and request a hearing with the Utah State Tax Commission (“cross-appeal”) within sixty days from when an owner of a centrally assessed property objects and requests a hearing (“appeal”);

Whereas, the following owners with centrally assessed property in Iron County have filed an appeal with the Utah State Tax Commission contesting their 2019 assessment:

1. CenturyLink Inc.;
2. T-Mobile US Inc;
3. Black Iron, LLC;
4. UNEV Pipeline, LLC;
5. PacifiCorp. Inc.;
6. Union Pacific Railroad Company;
7. Questar Gas Company; and
8. Intermountain Power Agency.

Whereas, it is in the best interest of the County that it file a cross-appeal(s) so that the County can fully participate in the proceedings initiated by the owner(s), including subsequent appeals to the District Court or Utah Supreme Court arising from such proceedings, with the purpose to protect the County’s financial interests and the equality of the tax burdens of taxpayers within its jurisdiction. In the event any taxpayer files an action in the United States Federal Court, pursuit of and defense of such action on behalf of the County is also authorized.

Now Therefore, be it resolved by the Iron County Commission of Iron County, Utah, as follows:

1. That cross-appeals should be filed by legal counsel and pursued in response to the appeals initiated by the following owners:

1. CenturyLink Inc.;
2. T-Mobile US Inc;
3. Black Iron, LLC;
4. UNEV Pipeline, LLC;
5. PacifiCorp. Inc.;
6. Union Pacific Railroad Company;
7. Questar Gas Company; and
8. Intermountain Power Agency.

2. That the County Commission direct the prosecution of the cross-appeal(s) under the advice of legal counsel, hereby authorizing Thomas W. Peters Esq., to file the necessary cross-appeals to protect the County’s interests.

3. That in the event an appeal by an owner not identified above is subsequently discovered, legal counsel is authorized to file a cross-appeal using his or her discretion to ensure

timeliness, but such cross-appeal must be subsequently brought before the Commission as soon as possible for ratification.

4. Legal counsel is also directed to assess and determine the appropriate manner to protect the County's legal interests in pending litigation affecting the County wherein the County may not currently be an active participant or named party, but is an affected county. Such action for intervention is authorized in order to protect the County's interests.

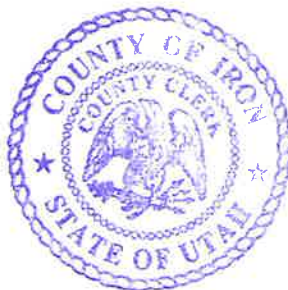
APPROVED and ADOPTED this 3rd day of September, 2019.

IRON COUNTY COMMISSION


Alma L. Adams, Chairman

ATTEST:


Jonathan T. Whittaker
County Clerk





Voting:

Alma L. Adams	<u> Aye </u>
Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Aye </u>

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.


Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
SEPTEMBER 9, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 9, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Kenneth K. Carpenter	County Sheriff
Dan Jessen	County Auditor
Nicole Rosenberg	County Treasurer
Adrion Walker	County Human Resource Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Bruce Washburn.

INVOCATION

An invocation was offered by Paul Cozzens.

DEPARTMENTAL REPORTS

Maria Twitchell, Iron County Executive Director of Tourism/Parks & Recreation, reported that as of August 30th the budget spent was 63 percent on Transient Room Tax (TRT) and 37 percent of Restaurant Tax. TRT and Restaurant collections were slightly up, however occupancies continued to drop to 23 percent from last year. Maria reported that they were recently awarded three grants: one from American Association of Retired Persons (AARP) for improvements to Downtown Cedar City in the amount of \$13,500; one from Utah Office of

Tourism for winter marketing, with all partners contributing, equals \$404,000 for advertising during the winter season; another Utah Office of Tourism grant for \$88,000 for advertising in the off season. She noted that she was evaluating whether or not they would be open on Sundays next year. Updates to the tourism website (www.visitcedarcity.com) should be up in late October. Recently hired videographer Wyatt Ihler has been very busy getting new video footage of events and activities around Iron County as well as producing a new video series about the history of Iron County, and a story of the unique residents of Iron County. Kaylee Pickering produced some great press coverage including a Trip Advisor article naming Brian Head as one of the “Top Places to Celebrate the 4th of July.” Maria Twitchell reported that she had several meetings with the Utah Department of Transportation (UDOT) to fix some outdated signs. Many were being updated together with a Cedar Main Street repaving project. The Restaurant Tax Board provided a grant to the Cedar City Airport to update the images, furnishings, and signage. Maria reported that as of August 30th the budget spent in Tourism was 70 percent. She expressed her sincere appreciation to the Iron County Road Department, Engineer Department and Commissioner Alma Adams for assisting with the removal of several tree debris piles at Three Peaks. There was a fire at the Shooting Range on July 12th that started on the Law Enforcement Range and spread through the back of Cowboy Range to the Long Range. The fire cleared out a lot of weeds but it was a reminder that there needed to be some fire mitigation at the range. She noted that the parking lot at Woods Ranch needed to be repaved. Upcoming events scheduled at Iron County Parks were: the Half Marathon at Woods Ranch in September, The High School Mountain Bike Southern Utah Race at Three Peaks in September with an expected 750 participants; the High School Mountain Bike State Championship in October with an expected 1500 participants. Maria reported that to date there were 37 pavilion reservations at Three Peaks and 83 reservations at Woods Ranch, and \$8,283 in income from reservations, camping and special event fees.

Kenneth Carpenter, Iron County Sheriff, reported that the budget was on track. Culinary cost per meal was at 0.97 percent. Total bookings were at 478 which continue to increase. The average daily population at the jail was 149. The total Federal Inmate transports were at 588. The increase was attributed to the Justice Reinvestment Initiative (JRI). The work crew has put in 2,160 hours with various projects in Iron County. Sheriff Carpenter reported that Lieutenant Joanna Cuthers retired as the Corrections Commander and would be missed. Testing would be conducted internally to replace her. Alma Adams commended the fantastic work that she performed at the Corrections Facility. He reported on that the Iron County Jail was the oldest jail in the State of Utah and was detreating. Serious consideration for a new facility was imminent. The back parking lot needed to be addressed as well. Contacts have been sent out but not receiving bids because the job was not large enough. Formica was coming off the counters in the culinary area and needed to be replaced. Alma Adams asked Sheriff Carpenter what duties the Interns from Southern Utah University were assigned. He reported that one of the Interns was working with Renon Hulet with finger printing and the other was working with the deputies at the command center and doing ride a-longs with the deputies. The booking area now had up to six officers working because many inmates were on a suicide watch. He would be requesting 2 new deputies in booking and transport at the next budget hearings. Sheriff Carpenter reported on the many concerns with the JRI and its shortcomings. He has met with Governor Herbert, Senator Vickers, Representative Shipp, and the Legislative Auditor regarding the JRI and it being significantly modified.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meetings held August 12, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC COMMENTS

No public comments were offered.

DISCUSSION AND REQUEST FOR SIGNAGE AND COUNTY AWARENESS OF ILLEGAL DUMPING IN AND NEAR THREE PEAKS RECREATIONAL AREA AND POSSIBLE ROAD MAINTENANCE

Peter Thornton, a citizen of Iron County, explained that there was a lot of dumping in the Three Peaks area down 3600 North. The area was a fast and easy way to the park. There was no signage to discourage dumping. Mr. Thornton presented photos to document the dumping. The dumping was done off the trails thus making it hard to see. He was requesting signage along the road and possible fines to deter those that were illegally dumping. Some have lived illegally, out of sight, in the trees and left trash. Sheriff Carpenter reported that this had become a huge problem. One person had been arrested and charged with illegal dumping and illegally living on the BLM property. He also noted that he had deputized one of the BLM employees to give him more precedence for enforcement. Alma Adams agreed that the proper signage needed to be placed along with continued patrol and handing out tickets.

APPROVAL FOR AN OCTOBER HARVEST-FEST EVENT AT NATURE HILLS FARMS

Michael Bleak reported that Heather Carter was unable to attend the meeting and asked him to speak on her behalf. Mike reported that Nature Hills Farm was a Hobby farm and would like to host an October Harvest Fest October 4-5, 11-12, 18, and 21st. The event would consist of hay rides, pictures with farm animals, picking pumpkins, playing games, an apple cider demonstration and eating food. It would be a fun event to get people to enjoy the fall season. Paul Cozzens made a motion to approve the October Harvest Fest event at Nature Hills Farms as presented by Michael Bleak. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RESOLUTION 2019-8 SUPPORTING THE CREATION OF AN OLD IRONTOWN STATE MONUMENT

Alma Adams explained that he had received a phone call from Jeff Rasmussen, State Parks Director, stating that they had an interest in creating monuments for various sights in Utah that met the level of a State Park. Preeminent on the list was Old Irontown. The first step was to create a resolution to support the project. Michael Bleak made a motion to approve Resolution 2019-8 supporting the creation of an Old Irontown State Monument. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY RESOLUTION 2019-8

A RESOLUTION OF THE IRON COUNTY COMMISSION SUPPORTING THE CREATION OF A UTAH STATE MONUMENT IN THE OLD IRONTOWN AREA.

Whereas, the Utah State Parks Office is desirous to showcase the historical and cultural value of the Old Irontown area;

Whereas, Iron County seeks to encourage tourism and visitation;

Whereas, the Utah State Parks Office is committed to make the signage around Old Irontown more welcoming, as well as leveraging their resources to advertise the creation of the proposed monument;

Now Therefore, be it resolved by the Iron County Commission of Iron County, Utah, to support the Utah State Parks Office in the creation of a State Monument in the Old Irontown area.

IRON COUNTY COMMISSION


Alma L. Adams, Chairman

ATTEST:


Jonathan T. Whittaker
County Clerk



Voting:

Alma L. Adams	<u> Aye </u>
Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Aye </u>

PERSONNEL

Adrion Walker presented Reed Erickson as the Interim Building & Zoning Administrator. Reed would continue his position as the Iron County Planner while in the interim position. Adrion requested a 10 percent increase in pay, \$630.72 per month, for the increased workload and hours that would be required, effective August 25th. This open position was a result of the retirement of Chad Nay. Paul Cozzens made a motion to approve the Interim position and temporary pay increase for Reed Erickson as explained. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

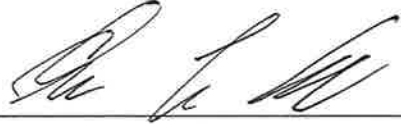
Adrion Walker presented a 60 day sick leave extension for Rhonda Warren in the Assessor's Office for approval. This was a formal approval of the sick leave extension as per the new policy. The end of the allowed sick leave status would be September 21st. Michael Bleak made a motion to approve the 60 day sick leave extension for Rhonda Warren as presented. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Absent; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

No non-delegated items were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk

**IRON COUNTY COMMISSION MEETING
SEPTEMBER 23, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 23, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Chad E. Dotson	County Attorney
G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Nicole Rosenberg	County Treasurer
Adrion Walker	County Human Resource Director

SYNOPSIS

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Shain Manuele.

INVOCATION

An invocation was offered by Dallin Staheli.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held August 26, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Preston Nelson, Iron County Road Superintendent, reported on projects that were worked on during the last quarter. Some of those were: chip sealed roads 1000 S & 1400 S, 4000 N Rollo Lane, and 2 miles of Vandenburg road (all dirt). Also chip sealed Kane Springs Road,

Chimney Meadows, 220 W (3rd coat), Westview, 3000 N, Bulldog Road, Mid Valley, and 2300 West. Preston reported that they Iron-Wolfed Kanarra Mountain up to Red Ledges and 3 miles on Lund Hwy. There were many roads patched as a result of the wet winter. He reported that some of the future work being scheduled was: finish 7700 W so it would be ready to chip seal next year, continue working on the Vandenburg Road, and start on the Hart Road in Beryl. They were getting ready for the winter season and may need a new snow blower.

Bruce Anderson, Iron County Landfill Supervisor, reported that the budget was on track. Bruce noted that they just finished collecting fall water samples and were waiting for the results. Three new hires were learning fast and doing well. Grinding tree limbs would begin in October. There were three bids sent out and only one replied. The contract went to Diamond Tree Service. He reported that Sunset Subdivision would be going to individual cans once the road was chip sealed. Most of the equipment was working well. Bruce reported that the work load continued to increase as a result of the significant amount of growth in Iron County. There were 134 new or 2nd cans delivered in 2019. There were just over 4000 customers.

Shain Manuele, Iron County Defense Attorney Coordinator Candidate, introduced himself to the commissioners and gave a quick overview of his history relating to Iron County. He reported that he was a Prosecutor in Nevada and heard about the pilot program/ position opening in Iron County. He applied and was very excited to be considered and to return to Cedar City. He reported that the Coordinator position was a new Pilot program throughout the state. Looking at the core principles and the desires that the state and county have to give indigent defendants the proper representation were all noble goals.

Reed Erickson, Iron County Building & Zoning Interim Administrator, reported that one of the news channels would be presenting a report on the shortage of building inspectors in Utah. The report would mainly be covering the shortage and effect it was having on northern Utah. There were currently 17 Building Inspector positions open in the state of Utah, and 45 percent would retire in the next five years. Iron County has three good full time inspectors who are very busy and not able to follow through with their other responsibilities. Upcoming agendas items: a public hearing would be held on October 14th regarding Ordinance 2019-8 Urban Farming, the 5900 N Assessment Area protest ends on October 28th and would be presented to the commission on the same day. Reed reported that the Sunset Subdivision Assessment Project was complete and he would be receiving the final cost from contractor. Reed noted that he had received a letter from George K Baum explaining that they had been bought out by Stifel, Nicolas & Company and business would continue as usual. He reported that Southern Utah University had asked Iron County to consider another bond for a future project similar to Founders Hall. Reed reported on the progress of the Second Mound Utah Prairie Dog (UPD) Conservation Easement. He explained that there were 300 acres that would be maintained for the UPD habitat located east of Summit and West of Red Canyon Subdivision, east of I-15. Reed reported that he and Commissioner Mike Bleak met with the Nature Conservancy on Tuesday regarding the Watershed Restoration Initiative (WRI) project. The WRI provides funds from several state and federal agencies to do cooperative projects that would benefit the land. He explained to the Nature Conservancy that there was an Irrigation/Water project planned to drill on the property to place a well and overflow tanks. There was a grant awarded for \$50K to use for the project. This would help the prairie dogs to disperse to other areas on the property. Reed reported that there were issues regarding water rights under "Quantity Impairment" and they were working on it. Phase 2 of the project would be replanting native grasses. He explained that there was a baseline survey of the prairie dogs on the outer subdivisions within a ½ mile of the UPD easement. The prairie dog population count on the properties stays at the baseline and if it rises the property owners would be allowed to remove them. The baseline survey was sent to all property owners. Reed reported on the "SunPower 24/7" project that he and Chad Nay were working on. The project would consist of putting solar panels on the Visitors Center and possibly purchase electric vehicles. Charging stations would be placed at the Visitors Center. First Solar would help fund the project.

Steve Platt, Iron County Engineer, excused. Alma Adams reported in behalf of Steve Platt. He reported that the budget was on track. Alma reported on the various projects that were
September 23, 2019

being conducted: the Sunset Subdivision Assessment Area construction was complete and the final payment would be sent to Mel Clark next week; Forest Service bids regarding construction of 2 bridges up Parowan Canyon on 1st and 2nd Hand Canyons were received. Carter Enterprises was awarded the bids for 1st Hand Canyon in the amount of \$379,744 and 2nd Hand Canyon in the amount of \$336,590. An Emergency Watershed Protection (EWP) grant for work in Paragonah, Little Creek and Red Creek was a 75 percent grant, 25 percent local match. The bid went to Progressive Contracting Inc. in the amount of \$456,044.31. Curtis DeMille would be hauling rip rap from the landfill to make the match portion; the Parowan Watershed Protection and Flood Prevention Operations projects moved from an Environment Agency (EA) to an Environmental Impact Service Organization (EIS) due to the cost being higher; South Central was putting fiber optics over the whole Escalante Valley (10 phases) and West View Subdivision area (4 phases); Quichapa recharge/material source crushing project to begin soon; and Newcastle crushing for Hart Road.

Michael Bleak, Iron County Commissioner, reported that he and Commissioner Paul Cozzens traveled to Washington DC to rally for Payment in Lieu of Taxes (PILT) and Secure Rural Schools (SRS) payments. National Association of Counties (NACo) arranged meetings with 8 different legislators. The meetings were beneficial and very productive. They also met at the White House to discuss public land issues and how they directly effect Iron County. Mike noted that there were relationships made with the current administration and felt that small counties do have a voice.

Paul Cozzens, Iron County Commissioner, reported that he agreed with the report given by Michael Bleak and that the comparison between small counties was interesting.

Alma Adams, Iron County Commissioner, met with Adam Snow, from Congressman Stewart's Office, Garfield County, Dixie National Forest, and Forestry, Fire and State Lands to discuss areas of the forest needing treatment. Good priorities were set for treatment.

PUBLIC COMMENTS

No public comments offered.

DONATION REQUEST FOR THE SENIOR COMPANION AND FOSTER GRANDPARENT PROGRAM

Joann Lyman, representative of the Senior Corps program, reported that there were currently 41 members of the Five County AOG Senior Corps Program. Iron County had 7 Senior Companions and 12 Foster Grandparents. To qualify to be part of the Senior Corps Program they must be: At least 55 years old, be income eligible, making less than \$2010 per month (200 % of poverty), have a current Utah Driver's License, be willing to serve a minimum of 15 hours per week, and pass a Bureau of Criminal Identification background check and a National Sex Offenders Public Website check. She explained that the Senior Companions provide services to frail older adults in the community. Forster Grandparents provide services to at risk children in the community. In return for serving they receive a nontaxable stipend of \$2.65, meal allowance of \$3.00, reimbursement for transportation at \$0.35 per mile, and ongoing minimum of 24 hours of training per year. The Senior Corp Program was requesting \$1,000 from Iron County, but would be happy with any amount offered. Paul Cozzens made a motion to approve adonation in the amount of \$1,000 to the Senior Companion and Foster Grandparent Program. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE DONATION FOR A ICE SKATING RINK

Paul Cozzens stated that he would comment on the issue but because of a conflict of interest he would refrain from voting.

Dallin Staheli, representing Staheli Brothers, explained that his objective was to update the commissioners regarding the progress of the Ice Skating Rink. He gave a brief history of the development of the First Ice Skating rink on Brent Hunter's farm. The popularity of the Ice Rink grew to over 2,000 uses within 2 years. In 2013, with help from public and private partnerships,

the Outdoor Ice Skating Rink was built adjacent to the Cedar City Aquatic Center. It has been very successful in its six years of existence. The average weekly attendance was 1,200. Some of the activities offered were skating lessons beginning at 3 years old, youth hockey for ages 4-14 year olds, JV/Varsity High School hockey teams, adult league hockey teams and a SUU hockey team. Dallin reported that there were several challenges with the insufficient facility. Some of those challenges were: having to use restrooms in Aquatic Center, no locker rooms to get ready, no shelter, not enough public areas, the skating surface was not regulation size, and the refrigeration system was failing. Participation during the 2018-2019 season was 17,164. Needs for the Ice Skating Rink was: protection from the elements, climate controlled public area, regulation size rink, locker rooms, restrooms, usable floor for skates, reliable equipment, and year-round operation. He reported that a Feasibility Study was completed by Kristin Egan which resulted in a positive outlook. Dallin reported on the plan for the new Ice Skating Rink which would be located on the west side of the recreation center. The new rink would cover all the needs from the list plus a lobby. The rink would not be fully enclosed but would be able to be in used year round. The estimated cost for the Ice Skating Rink as of July 29th was \$5.7M. Cedar City was considering funding \$2,85M and the Staheli Brothers would fund \$2.85M. Cedar City Council would be voting on the issue at the next meeting and it would help if the Iron County Commission was on board for support. Alma Adams thanked Dallin for his report.

PERSONNEL

Adrion Walker, Iron County Human Resource (HR) Director, presented the new hire of Bradden Beaumont as Part-time Appraiser Trainee in the Assessor's Office, effective September 23, 2019. Bradden was in his senior year at SUU and would be reevaluated at graduation, December 15th, for Full-time employment. Adrion Walker presented the new hire of Sydney Robins as a Court Clerk in the Justice Court, effective September 23, 2019. This was a backfill of a vacant position. Michael Bleak made a motion to approve Bradden Beaumont as a Part-time Appraiser Trainer in the Assessor's Office, being reevaluated in December for Full-Time employment after graduation, and approve Sydney Robins as a Court Clerk in the Justice Court, effective September 23, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Blake, Aye; Paul Cozzens, Aye.

Adrion Walker presented the formal approval of a grant funded Defense Attorney Coordinator contract/position. The interview process had been completed and the position was offered to Shain Manuele. Mike Edwards was concerned that this was an Independent Contract. He had just received the contract that morning and wanted time to review it. Adrion stated that Iron County had committed to the grant funding for the opening of the specific position.

Alma Adams, Iron County Commission Chair, declared recess for lunch to give the County Attorney time to review the contract.


NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

After lunch, Alma Adams, Iron County Commission Chair, declared the lunch recess ended. Alma reported that no action would be taken regarding the Grant Funded Defense Attorney Coordinator contract/position at that time.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.


Attest: Jonathan T. Whittaker, County Clerk
September 23, 2019


Signed: Alma Adams, Chairman



**IRON COUNTY SPECIAL COMMISSION MEETING
SEPTEMBER 27, 2019**

Minutes of the Iron County Special Commission meeting convened at 1:00 p.m.
September 27, 2019 in the Commission Board Room at the Heritage Center, Cedar City, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
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APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held September 3, 2019. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

**DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT WITH SHAI NE
MANUELE TO SERVE AS DEFENSE ATTORNEY COORDINATOR**

Michael Edwards explained that the contract had first been presented during the September 23rd Iron County Commission Meeting, but that insufficient time to vet the contract had been provided. Michael noted that the Iron County Attorney's Office, Shaine Manuele, and Joanna Landau, the Executive Director of the Utah Commission on Criminal and Juvenile Justice (CCJJ) had actively negotiated the terms of the contract to engage Mr. Manuele as Defense Attorney Coordinator. Some of the Changes that Michael Edwards outlined were that while Iron County would not actively manage Mr. Manuele, it would monitor the defense attorneys; also, that a budget for defense attorneys would be set, and any additional expenses would need to be approved by the Iron County Commission; that Mr. Manuele will submit all reports and applications as necessary to secure and comply with the state funding grant; and that Mr. Manuele is free to assign himself as defender on cases. Michael Bleak made a motion to approve the contract with the changes as explained by Michael Edwards. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman

Attest: Jonathan T. Whittaker, County Clerk

**IRON COUNTY COMMISSION MEETING
OCTOBER 14, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 14, 2019
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resource Director

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Joyce Evans.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held September 23, 2019 and the minutes of the Special Iron County Commission meeting held September 27, 2019. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Cindy Bulloch, Iron County Assessor, reported that the budget was on track and may end the year under budget. With the changes in personnel in her office, cross training has been a benefit. Cindy reported that the Board of Equalization (BOE) meetings concluded and went well. She was working on improving the process to make it less intimidating.

Dan Jessen, Iron County Auditor, reported that the budget was on track. Dan reported that the Iron County Budget hearings were underway and going well. Dan quoted Joe Biden and George Washington regarding budgets. He praised Christene Lowder with all the hard work she puts into the BOE process and the abatements. The abatement is tied to a Consumer Price Index (CPI) through the Circuit Breaker Program. Legislature was working to modernize the abatements. The Audit committee would be meeting before the end of the year to decide if there would be a change with the outside Audit. Dan explained that August Franklin had been working endlessly with the move to the Digital Requisition System. All training was complete and has everyone on-board. The digital system allowed for greater visibility and transparency. He reported that the new "Executime" program for employees to login their time was now being used in the courthouse. They are working to bring the paper time sheets and Executime together before moving to the straight digital program.

Nicole Rosenberg, Iron County Treasurer, reported that the total Product Sales was at \$15M. Of that \$15M, \$2.5M has gone to Iron County thus far, \$33M in pooled cash, and 683K collected in interest. There was still about \$40M to collect. There were approximately 7,000 tax notices sent out. She reported that the budget was doing great, however most of the budget was spent at the end of the year. Nicole reported that they were trying to minimize tax adjustments. She would begin to make a spreadsheet with all the tax adjustments to present to the commissioners.

Carri Jeffries, Iron County Recorder, reported that the budget was on track. Carrie reported that total Documents Recorded was up slightly at 3,987, Transfer Documents was up at 1,477, Trustee's Deed was down from 5 to 2, Subdivision Plats were up by 2 to 10, and the total Revenue was at \$161,002.25.

Joyce Evans, Iron County Fair Manager, reported that it was a good year for the Iron County Fair. The crowds were only slightly up. The new bleachers added approximately 300 seats and were a great asset. There was a full house at the Sunday night program. Joyce reported that all the major grandstand events paid for themselves. The Carnival made about \$17K which pays for the exhibit hall. She reported that improvements for next year included putting windows in the announcers stand and upgrade power on the south side for the vendors. Joyce expressed her appreciation for the Iron County Sheriff Department for all their help.

Paul Cozzens, Iron County Commissioner, reported that Five Counties was doing well. There were approximately 11 bidders for the new Road Department building.

Alma Adams, Iron County Commissioner, reported that he was grateful for the Gold Cross Ambulance service. In the smaller counties there was a critical situation for medical help.

Jon Whittaker, Iron County Clerk, reported on the Special Service District #3. This was an entity formed to receive the Secure Rural Schools (SRS) monies. Jon reported that 40 percent would be used for road materials in Iron County.

**PUBLIC HEARING DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE
2019-8 REGARDING URBAN FARMING, AMENDING SECTIONS 17.16.020, 17.17.030,
17.36.250, 17.30.020, 17.30.030, 17.30.040 AND ADDING SECTION 17.36.290**

Reed Erickson, Iron County Planner, gave a brief explanation of the Urban Farming Ordinance. The Ordinance puts into place a definition of Urban Farming, the Urban Farming Assessment Act, and identifies what property the uses are allowed (all residential zones); it provides for seasonal sale of production from the site in all residential zones; it provides for the seasonal sale of production from “off-Site” in all residential zones; provides for year round sale of “on-site” and “off-site” production up to 50 percent of total sale in all residential zones, excluding R-1/2; it attempts to account for the rights of adjacent property owners to enjoy their property without excessive noise, odor, and traffic beyond what was normally expected. ; addresses accessory outside storage or flammable/hazardous materials; and separates “Hobby Farms” and “Urban Farms.” Reed explained that the ordinance does not allow for pigs and farm stands in the R-1/2 zone, nor does it regulate based on lot size. Alma Adams, Iron County Commission Chair, declared the public hearing regarding Ordinance 2019-8 open.

Symbria Patterson, a citizen of Iron County, noted that she wanted to thank Reed Erickson and everyone that had been involved with the Urban Farm Ordinance. The biggest concern with the ordinance was the Farm Stands and swine in the R-1/2 zones. On page 14 of the ordinance the “yellow” highlighted areas are recommendations from the citizens that she has met with. Those recommendations were: 1. Addition of an actual lot size in the R-1/2 Zone to allow Farm Stands; 2. it should not be a requirement to obtain an Extended Home Occupation, only for Farm Stands, and 3. not have to have a permanent structure. The changes made would be specific to modify the language of the ordinance.

Cindy Bulloch, Iron County Assessor, explained that the ordinance does allow for tax changes similar to a greenbelt for the smaller acres. Even though the ordinance does allow for animals the greenbelt does not.

Brad Green, representing the citizens’ group, “Advocates for a Prosperous Community,” stated that their group endorses the edited version of the ordinance presented by Mrs. Patterson. Alma Adams declared the public hearing closed. Paul Cozzens noted that he appreciated all the efforts involved with the ordinance, but he would like to err on the side of property rights and freedoms. Mike Bleak noted that had been studying the ordinance for over a year with citizens of Iron County. He also would like to err on the side of property owners rights. Alma Adams noted that he felt 5 swine in R-1/2 was too many and would like it changed to one swine. He would approve the other changes to the ordinance. Mrs. Patterson said that two swine would be better, only because they were easier to manage. The issue was that in the R-1/2 Zone there were properties that were between 2 and 10 acres. Mike Bleak expressed that the zoning versus acres approach was better. Michael Edwards noted that the square footage issue was harder to manage than zoning. Paul Cozzens made a motion to approve Ordinance 2019-8 adopting a new provision for Urban Farming as presented by Reed Erickson, with the draft presented by Symbria Patterson to allow 2 Swine to R-1/2 and to not allow a brood sow. The commission would revisit the implication of having swine on the R-1/2 at a later time. Recommendations proposed on page 3, page 4, and page 5 Farm Stand changing it from a P to an A, and Type 1 to include 2 swine on a ½ acre, Type II changed to 3-5 swine. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

****NOTE:** This Ordinance was discussed again and voted on during the November 12th Iron County Commission Meeting to address effects to the Table of Uses. Please refer to the November 12, 2019 minutes for that discussion and a copy of the Ordinance as approved.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held September 9, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION REGARDING “THE COUNTY SEAT” TELEVISION PROGRAM

Chad Booth, Host of “The County Seat,” reported that “The County Seat” program began as a recreation program. The 9th season just concluded. Mr. Booth reported that the original producer had returned to produce the program. The show provides a historical perspective and gave rural counties a voice. There was a 30 minute program to dive deep into any given subject. No other program provided this type of format. Chad noted that they were asking for \$13K. He approached Channel 4, KTVX for a bid to possibly fund the program this year and they proposed \$423K per quarter or closer to a \$2M value. Alma Adams explained that County Government was the least understood level of government. The Iron County Commission has supported the program half from tourism and half from the general fund. No action was taken.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, thanked the commissioners for the service they provide. Mr. Pressgrove quoted County Code 17.02.040-Applicability. He stated that the code stated that all citizens had to come before the commission to approve anything related to their property. It diminished the citizen’s rights to be productive and excel regarding their own property. He wants to be allowed to do whatever he wanted with his property without asking permission.

RESOLUTION 2019-9 DECLARING THE INTENT OF IRON COUNTY TO ISSUE UP TO \$9M OF REVENUE BONDS UNDER THE UTAH INDUSTRIAL FACILITIES AN DEVELOPMENT ACT FOR THE BENEFIT OF THE DIXIE AND ANN LEAVITT FAMILY FOUNDATION AND PROVIDING FOR RELATED MATTERS

Ryan Bjerke, Bond Council, explained that the resolution was similar to a resolution that was adopted for a previous student housing project supporting Southern Utah University. Iron County begins the process to issue bonds for the benefit of the Dixie and Ann Leavitt Family Foundation to finance student housing. The conduit bonds are issued by the county on behalf of the foundation in order for the foundation to take advantage of tax exemptions under the federal tax law. Because they are conduit bonds the purchasers of the bonds look to the foundation for payments and not Iron County. The resolution notes that the payments would be made by the foundation. The resolution begins the process, authorizes the publication of notices and public hearing. The foundation would then come before the commission for the adoption of the final resolution. Michael Bleak made a motion to approve Resolution 2019-9 as presented by Ryan Bjerke. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye, Paul Cozzens, recused.

IRON COUNTY RESOLUTION 2019-9

RESOLUTION DECLARING THE INTENT OF IRON COUNTY, UTAH TO ISSUE UP TO \$9,000,000 OF ITS FACILITIES REVENUE BONDS (THE DIXIE AND ANNE LEAVITT FAMILY FOUNDATION PROJECT), SERIES 2019, IN ONE OR MORE SERIES; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; SCHEDULING A PUBLIC HEARING AND PROVIDING FOR PUBLICATION OF A NOTICE THEREOF; PROVIDING FOR THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED AND FOR THE RUNNING OF A CONTEST PERIOD AND DESIGNATING THE TIMES AND PLACE WHERE A COPY OF THE PROCEEDINGS AUTHORIZING THE ISSUANCE OF THE BONDS MAY BE EXAMINED; AND PROVIDING FOR RELATED MATTERS.

Whereas, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the "*Act*"), Iron County, Utah (the "*County*") is authorized to issue revenue bonds to finance "projects" consisting of facilities suitable for business purposes or suitable to provide services to the general public;

Whereas, The Dixie and Anne Leavitt Family Foundation, a Utah nonprofit corporation and a private foundation (the "*Borrower*"), has requested that the County issue its Facilities Revenue Bonds (The Dixie and Anne Leavitt Family Foundation Project), Series 2019, in an aggregate principal amount not to exceed \$9,000,000 (the "*Bonds*") for the purpose of (i) financing the costs of acquiring, constructing, improving and furnishing one or more new student residence halls to be located at 258 South 450 West Street in Cedar City, Utah (the "*Project*"), (ii) funding any necessary reserves and (iii) paying costs of issuance of the Bonds;

Whereas, the County has determined that the public interest will be best served and that the purposes of the Act can be achieved by the issuance of the Bonds for the foregoing purposes;

Whereas, the substantially final forms of an Indenture of Trust, attached hereto as *Exhibit A* (the "*Indenture*") and a Loan Agreement, attached hereto as *Exhibit B* (the "*Loan Agreement*"), relating to the Bonds have been prepared and presented to the County Commission of Iron County, Utah (the "*Commission*") in connection with the adoption of this resolution (the "*Resolution*");

Whereas, all or a portion of the expenditures relating to the Project (the "*Expenditures*") (i) have been paid within the 60 days prior to the passage of this resolution or (ii) will be paid on or after the passage of this resolution;

Whereas, the County reasonably expects (based upon information supplied by the Borrower upon which it believes is reasonable and prudent to rely) to reimburse the Borrower for the Expenditures with the proceeds of the Bonds; and

Whereas, the County desires to schedule a public hearing with respect to the issuance of the Bonds and the financing of the Project and authorize the publication of notice of such public hearing and the County also desires to publish a Notice of Bonds to Be Issued pursuant to Section 11-17-16 of the Act;

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

Section 1. The County hereby finds and determines that the issuance and sale of the Bonds of the County and the application of the proceeds thereof for the purpose of (a) financing the costs of acquiring and constructing the Project, (b) funding a debt service reserve and (c) paying costs of issuing the Bonds, is in furtherance of the public purposes set forth in the Act and is in compliance with the provisions of the Act and that, therefore, the issuance and sale of the Bonds is in the public interest and will further the public purposes of the Act.

Section 2. The Commission, hereby authorizes and approves the issuance of the Bonds of the County in the aggregate principal amount of not to exceed \$9,000,000, to bear interest at a rate or rates of not to exceed 10% per annum, to mature in not more than 31 years, and to be sold to the purchasers thereof at a discount of not more than 2.00% of the principal amount thereof, all for the purposes set forth above, pursuant to the Indenture, and the lending of the proceeds of the sale of the Bonds to the Borrower for such purposes pursuant to the Loan Agreement. The Bonds may be issued in one or more series and may be issued such that the interest thereon shall be exempt or not exempt from federal income taxation, as the County may determine.

Section 3. The Commission hereby authorizes and approves the issuance and sale of the Bonds, pursuant to the provisions of the Resolution and the Indenture, with such changes thereto as shall be approved by the Commission upon the adoption of a final bond resolution, provided that the principal amount, interest rate or rates, maturity and discount shall not exceed the maximums set forth in Section 2 hereof.

Section 4. In accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 11-17-16, Utah Code Annotated 1953, the County Clerk shall cause a notice (the "*Notice*"), in substantially the following form, to be published once in *The Spectrum*, a newspaper of general circulation in the County, with such publication being at least 14 days prior to the date set for the public hearing:

NOTICE OF BONDS TO BE ISSUED AND NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the provisions of Section 11-17-16, Utah Code Annotated 1953, that on October 14, 2019, the Board of Commissioners of the County (the "*Commission*") of Iron County, Utah (the "*County*"), adopted a resolution (the "*Resolution*") in which it declared its intent to issue its Facilities Revenue Bonds (The Dixie and Anne Leavitt Family Foundation Project), Series 2019 (the "*Bonds*"), in an aggregate principal amount of not to exceed \$9,000,000, to bear interest at a rate or rates of not to exceed 10% per annum, to mature in not more than 31 years, and to be sold to the purchasers thereof at a discount of not more than 2.00% of the principal amount thereof.

The Bonds are to be issued pursuant to the Utah Industrial Development and Facilities Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the "*Act*"), for the purpose of (a) financing the costs of acquiring and constructing one or more new student residence halls to be located at 258 South 450 West Street in Cedar City, Utah (the "*Project*"), (b) funding any necessary reserves, and (c) paying costs of issuing the Bonds. The Project is and will be owned by The Dixie and Anne Leavitt Family Foundation, a Utah nonprofit corporation and private foundation (the "*Borrower*"). The Bonds are to be issued and sold by the County pursuant to the Resolution, including as part of the Resolution the draft of an Indenture of Trust that was before the Commission and attached to the Resolution in substantially final form at the time of the adoption of the Resolution. The proceeds from the sale of the Bonds will be loaned to the Borrower pursuant to a Loan Agreement and used for the purposes set forth above. The Loan Agreement was also before the Commission and attached to the Resolution in substantially final form at the time of the adoption of the Resolution. The Commission is to approve the Indenture of Trust and the Loan Agreement in such form and with such changes thereto as the Commission shall approve upon the adoption of a final bond resolution, *provided* that the principal amount, interest rate or rates, maturity and discount, if any, will not exceed the respective maximums described above.

THE BONDS WILL BE LIMITED AND SPECIAL OBLIGATIONS OF THE COUNTY PAYABLE BY THE COUNTY SOLELY FROM AMOUNTS RECEIVED BY THE COUNTY UNDER THE LOAN AGREEMENT WITH THE BORROWER AND CERTAIN OTHER AMOUNTS PLEDGED UNDER THE INDENTURE OF TRUST SECURING THE BONDS. NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE STATE OF UTAH NOR ANY OTHER POLITICAL SUBDIVISION THEREOF IS PLEDGED TO THE PAYMENT OF PRINCIPAL OR PURCHASE PRICE OF, PREMIUM, IF ANY, OR INTEREST ON THE BONDS. THE BONDS AND INTEREST THEREON WILL NOT CONSTITUTE OR GIVE RISE TO A GENERAL OBLIGATION OR LIABILITY OF THE COUNTY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWERS, AND THE BONDS WILL NOT CONSTITUTE A LOAN OF THE CREDIT OF THE COUNTY WITHIN THE MEANING OF ANY STATE CONSTITUTIONAL RESTRICTION OR STATUTORY LIMITATION.

A copy of the Resolution (including the exhibits attached thereto, including the Indenture of Trust and Loan Agreement) is on file in the office of the County Clerk at 68 South 100 East, Parowan, Utah, where it may be examined during regular business hours of the County Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday. The Resolution shall be so available for inspection for a period of at least 30 days from and after the date of the publication of this notice.

NOTICE IS FURTHER GIVEN that, pursuant to law, for a period of 30 days from and after the date of the publication of this notice, any person in interest shall have the right to contest the legality of the above-described Resolution of the Commission or the Bonds or any provisions made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

NOTICE IS FURTHER GIVEN that, on November 12, 2019, the Commission will hold and conduct a public hearing during the Commission's regular public meeting that will begin at 9:00 a.m., at the regular meeting place of the County Commission at the Parowan City Offices, 35 East 100 North, Parowan, Utah. The purpose of the hearing is to provide a reasonable opportunity for interested individuals to express their views, both orally and in writing, on the proposed issuance by the County of the Bonds. Section 147(f) of the Internal Revenue Code of 1986, as amended, requires that before any of the Bonds may be issued, the County must approve a plan of financing for the Project after conducting a public hearing. At the time and

place fixed for the public hearing, all interested persons will be given an opportunity to express their views, both orally and in writing, on the proposed issuance of the Bonds pursuant to such plan of financing. Written comments may be submitted to the County Clerk's office, 68 South 100 East, Parowan, Utah 84761 or P.O. Box 429, Parowan, Utah 84761-0457, until the end of the business day preceding the hearing on November 12, 2019. Additional information may be obtained from the County Commission office.

DATED this 14th day of October, 2019.

IRON COUNTY, UTAH
By 
County Clerk

Section 5. The County Clerk shall cause copies of this Resolution, the Indenture and the Loan Agreement to be kept on file in his office for public examination during regular business hours until at least 30 days from and after the date of publication of the Notice described in Section 4. For a period of 30 days after publication of the Notice, any person in interest shall have the right to contest the legality of the Resolution, the Indenture, the Loan Agreement or the Bonds thereby authorized or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of the Resolution, the Indenture, Loan Agreement or the Bonds for any cause whatsoever.

Section 6. The Expenditures are reasonably expected to be reimbursed with proceeds of the Bonds, which will be issued in the maximum principal amount of \$9,000,000.

Section 7. After its passage and execution, this Resolution shall be recorded in a book kept by the County Clerk for that purpose. A copy of this Resolution shall be forthwith filed in the office of the County Clerk.

Section 8. The Chairman of the Commission, the County Clerk and the other officers of the County are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to provide for the issuance, sale, registration and delivery of the Bonds and to fulfill the obligations of the County hereunder and thereunder.

Section 9. It is hereby declared that all parts of this Resolution are severable, and if any section, paragraph, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this Resolution.


Section 10. All ordinances, resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict with any of the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Section 11. This Resolution shall become effective immediately upon its approval and passage.

(Signature page follows.)

ADOPTED AND APPROVED this day, October 14, 2019.

IRON COUNTY, UTAH

By 
Alma L. Adams, Chairman,
Board of Commissioners of the County

ATTEST:
By 
Jonathan T. Whittaker, County Clerk



CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION (BOE)

Alma Adams, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the BOE.

REVIEW AND APPROVE THE BOARD OF EQUALIZATION (BOE) HEARING OFFICERS RECOMMENDATION FOR ADJUSTMENTS FOR THE 2019 YEAR.

Carrie Christiansen, Iron County Deputy Auditor, reported that there were 187 appeals, the lowest in 13 years. There were 98 stipulations, 3 withdrawals, 14 non-adjustments, 18 adjustments were made, 0 dismissed, and 59 Assessors adjustments were made. Carrie reported that there was \$9,820,169 in Market Value adjustments, with \$7,744,605 in Taxable Value adjustments. The total revenue loss on adjustments made during the BOE was \$15,119.05. She stated that she appreciated the hard work and help that she received from the Assessor's Office. Paul Cozzens made a motion to approve the BOE Hearing Officer's recommendations for adjustments for the 2019 year. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

REVIEW AND CONSIDERATION OF LOW INCOME AND HOMEOWNERS TAX CREDIT, BLIND AND VETERAN ABATEMENTS FOR THE 2019 TAX YEAR THROUGH OCTOBER 7TH

Christene Lowder, Iron County Chief Deputy Auditor, reported that there was a total of \$907,729.78 abated. \$181,213.14 would be refunded for the circuit breaker program. Michael Bleak made a motion to approve the Low Income and Homeowners Tax Credit, Blind and Veteran Abatements for the 2019 tax year through October 7, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the adjournment of the BOE and the reconvening of the Iron County Commission.

DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE THE IRON COUNTY COMMISSION CHAIR TO SIGN THE AMENDED PLAT FOR THE TOWNE CENTER CONDOMINIUMS (FESTIVAL HALL) AS AN OWNER OF PROPERTY IN THE CONDOMINIUM

Reed Erickson explained that Iron County owns property in Festival Hall, in Cedar City and as an owner of the Condominium Association was required to sign the amended plat. The downstairs space does not belong to Iron County and was being divided into two parcels through the Cedar City Condominium and Subdivision Ordinance. This was to authorize the Iron County Commission Chair to sign in behalf of the county. Paul Cozzens made a motion to approve the authorization for the Iron County Commission Chair to sign the amended plat as explained by Reed Erickson. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL FOR A GRANT APPLICATION TO THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) TECHNICAL PLANNING ASSISTANCE PROGRAM (TPA)

Reed Erickson explained that the grant was submitted to the UDOT TPA. Iron County was the applicant and UDOT was the sponsor of the grant. This was an attempt to coordinate with all the surrounding cities and towns for a master transportation plan. The match for the grant would be approximately \$3385. Michael Bleak made a motion to approve the grant application to the UDOT TPA program. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL FOR THE GENERAL CONTRACTOR FOR A REMODEL OF THE IRON COUNTY JUSTICE CENTER BUILDING OFFICE AND BREAK ROOM

Lester Ross, Iron County Lead Building Maintenance/Inspector, explained that the remodel was not on the approved 2019 budget, but there were funds available. There were 2 bids submitted and the contract would go to Braun Construction in the amount of \$27,319. Paul Cozzens made a motion to approve the contract be awarded to Braun Construction to be the general contractor for the remodel of the Iron County Justice Center Building office and break room in the amount of \$27,319. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT TO REPLACE THE CARPET AT THE IRON COUNTY JUSTICE CENTER

Lester Ross reported that Pioneer Floor Coverings was the sole bidder. The bid total was \$91,199.05. Michael Bleak mad a motion to approve Pioneer Floor Coverings as the contractor to replace the carpet at the Iron County Justice Center. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF THE CONTRACT FOR THE BUILDING OF THE "DALE M. BRINKERHOFF" PAVILION AT THE IRON COUNTY COURTHOUSE

Lester Ross reported that there were 2 bids submitted for the pavilion. Lester recommended that the contract be awarded to Iron Gate Builders in the amount of \$23,100. Paul Cozzens made a motion to approve Iron Gate Builders as the contractor for the Iron County Courthouse Pavilion in the amount of \$23,100. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF THE UTAH DIVISION OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE (OHV) FISCAL INCENTIVE GRANT SUBMISSION, TO PURCHASE EQUIPMENT ATTACHMENTS TO MAINTAIN OHV TRAILS, TRAIL HEADS AND PARKING AREAS

Mike Worthen, Iron County Resource Management Plan Director, explained that this was a new grant approved by the Legislature specific to OHV incentives awarded quarterly. It allows the counties to submit a grant proposal for up to \$12,500 per quarter. These funds would help to develop and place more emphasis on maintaining OHV trails, trail heads and parking areas. Michael Bleak made a motion to approve the grant application to purchase equipment to help with maintenance as explained by Mike Worthen. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrion Walker, Iron County Human Resource (HR) Director, presented a temporary raise for Terry Palmer in the Building and Zoning Department. Said temporary raise would be 2 percent or \$0.58 per hour, for extra duties and responsibilities and would be effective on September 8th. Paul Cozzens made a motion to approve a temporary 2 percent pay increase for Terry Palmer, effective September 8th. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Adrion Walker presented a promotion for Shalon Shaver from Sergeant to Lieutenant Jail Commander in the Corrections Department, effective October 6th. This would be a 5 percent pay increase, then after 6 months the salary would adjust to \$74,256 per Iron County Policy and an acceptable performance rating. This was a backfill of a vacant position. Michael Bleak made a motion to approve the promotion of Shalon Shaver to Lieutenant Jail Commander with a 5 percent pay increase and after 6 months pay would adjust to \$74,256 per Sheriff Carpenter. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.


Adrion Walker presented the new hire of Taylor Cella as a Web Developer in the IT Department, effective October 14th. This would be a backfill of a vacant position. Adrion Walker presented the transfer of Eric Rohmann from Correction Deputy to Patrol Deputy in the Sheriff's Department, effective October 20th. This would be a backfill of a vacant position. Adrion Walker also presented the promotion of Shawn Peterson from Deputy II to Corporal in the Sheriff's Department, effective October 6th as a backfill of a vacant position. Paul Cozzens made a motion to approve the HR actions as proposed. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

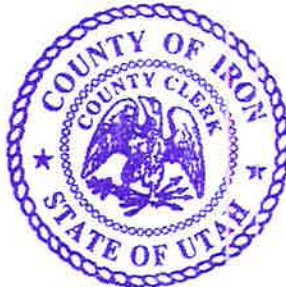
No Non-Delegated were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.


Signed: Alma Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
October 28, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 28, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner - Excused
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy W. Bulloch	County Assessor
Dan Jessen	County Auditor
Nicole Rosenberg	County Treasurer
Steve Platt	County Engineer

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Paul Cozzens.

DEPARTMENTAL REPORTS

Lori Eichelberger, Iron County Justice Court Administrator, reported that the budget was on track. The last three months have been busy because she was down two staff members. The Justice Court staff consisted of six full time clerks, one full time court supervisor, herself as administrator, Presiding Judge Margaret Miller, and part time Judge Brent Dunlap. Lori presented the commissioners with a list of comparisons of the Justice Court caseloads from 2018 to 2019. Moving Violations were up by 1433, Non-moving Violations were up by 787, Assaults were down slightly by 23, theft was up by 31, controlled substances were down by 73, and Domestic Violence was up by 15 cases. She reported that there were 2175 moving violations dismissed due to the Traffic School program. Iron County provided an online course and the cities would allow persons that were from out of town to use the online course. The total Revenue collected was at \$1.7M, while revenue disbursed the state was \$665,518.13, with a total revenue retained of \$1,034,553.67. Lori reported that Instant Payments were working well.

Jared Wilson, Iron County Information Technology (IT) Director, reported that the budget was currently running under budget for the year. Work orders averaged 281 completed per month for 2019. Jared reported that future projects included: Mobile Computer Aided Dispatch (MCAD) implementation; Executime (employee login/out program) was in use in the Iron County Courthouse, and would continue to train the other departments for the transition. The Iron County Justice Center departments would be the next for training. The last departments would be the Sheriff and Jail. The financial training for a new version of software for the Auditor and Treasurer was complete and up to date. The new software in the Attorney's Office was setup. The software program was in conjunction with the state. Paul Cozzens complemented Jared for the new Towing App. He said the rotation schedule was up and running and working well with great reviews.

Michael Edwards, Deputy Iron County Attorney, reported that Chad Dotson, Iron County Attorney, was presently busy with the Law in Motion cases so he would be reporting on his behalf. The new Case Management Software program was a work in progress and would be administered by the Utah State Prosecution Council. Mike reported that the Brian Head Fire case would be held at the end of 2019 and the venue had been moved to Utah County. It was going to be a long and difficult trial to prosecute. The sentencing for the Mark Meyer murder case was complete with a guilty plea. He was sentenced to two consecutive 15 to life years in prison. The Opioid litigation was stalled because they were waiting on a ruling from the Supreme Court. A child abuse case was scheduled for February 2020.

Stephanie Furnival, Iron County Children's Justice Court Director, excused as she was away attending a funeral.

Paul Cozzens, Iron County Commissioner, reported that he visited the Beryl City Community Center to check on the repairs that were needed. Most of the repairs could be done at a minimal cost. Shane Manuele started his new position as a Public Defender and would be in Iron County permanently in a week. Five County continued to stress emphasis on the importance of filling out and returning the 2020 Census. Paul reported that he went up with Preston Nelson to see the locked gate situation on the Upper Basin Road for a better understanding of what was happening. He attended the Cyber Jet open house and was impressed with the wiring harness. The company attended an Aviation Convention in Las Vegas and now had orders pending for the plane.

Michael Bleak, Iron County Commissioner, reported that the Annual Children's Justice Center (CJC) "Dancing with the Stars" fund raiser would be held on November 21. This was a great fund raiser for the CJC and he encouraged everyone to attend. Mike reported that Fred Adams and Scott Phillips had produced the program for the last two years and it would be a very entertaining evening.

Alma Adams, Iron County Commissioner, expressed his appreciation for Stephanie Furnival and her staff for the exceptional work she does in the Children's Justice Center (CJC). She works hard with neighboring counties to get a CJC set up and running. Alma reported that road issues regarding right of ways had increased.

ORDINANCE 2019-9 REGARDING THE CREATION OF THE 5900 NORTH ROAD IMPROVEMENT PROJECT ASSESSMENT AREA LOCATED WITHIN THE S ½ OF SECTION 4, T35S, R11W, SLB&M; EVALUATION OF PROTEST COUNT, AND DETERMINATION WHETHER TO DESIGNATE OR DEFEAT THE PROPOSED ASSESSMENT AREA

Reed Erickson, Iron County Planning and Zoning Planner, explained that Ordinance 2019-9 had been in the works for some time. The end of the required 60 day protest period was completed on Friday October 25th at 5 p.m. Reed reported that nine letters were needed for an adequate protest. Ten letters of protest were presented to the Iron County Clerk before the deadline on Friday which met the adequate protest. The adequate protest did not allow the commission to create the district. He explained that the Iron County Commission now had two options: 1. not approve the ordinance for a chip seal because the adequate protest was sufficient to terminate the process; 2. adopt a resolution to deny the ordinance and abandon the assessment area as proposed. Reed reported that if the property owners wanted to move forward with a gravel road the process would have to start over. Paul Cozzens made a motion to abandon Ordinance 2019-9 regarding the 5900 North Improvement Project Assessment Area due to the adequate protest letters of 40 percent . Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PUBLIC COMMENTS

No public comments were offered.

UTAH SCHOOL & INSTITUTIONAL TRUST LANDS ADMINISTRATION (SITLA) PRESENTING A CHECK FOR SITLA PAYMENT IN LIEU OF TAXES (PILT) FUNDS

Dave Ure, SITLA Director, reported that the State PILT check being presented to Iron County was \$112,509. Dave explained that SITLA was established in 1994. He presented a short video and Power Point presentation on Trust Lands. Dave presented the State PILT check to the Iron County Commissioners.

DISCUSSION AND APPROVAL OF CONTRACTOR AND BUDGET FOR THE NEW IRON COUNTY ROAD BUILDING

Lester Ross, Iron County Lead Maintenance/Building Inspector, reported there were 7 bids submitted for the new Iron County Road Building. Precision Development submitted the low bid at \$879,856. With a 10% contingency the total project bid would be \$967,841. Mike Bleak made a motion to approve the contract for the new Iron County Road Department building be awarded to Precision Development for a total bid amount of \$879,856, noting a 10% contingency for a total of \$967,841. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RATIFICATION OF A CONTRACT FOR FIRST AND SECOND LEFT HAND CANYON BRIDGE REPLACEMENTS WITH CARTER ENTERPRISES, INC. WITH FUNDING FROM THE U.S. FOREST SERVICE

Steve Platt, Iron County Engineer, explained that there was funding from the U.S. Forest Service in the amount of \$700,000 to replace the two bridges at First and Second Left Hand Canyon as a result of Brian Head Fire. Carter Brother Enterprises was given the contract. The contracts were signed previously by Alma Adams to allow Carter Brothers to begin the project. This agenda item was to ratify the signing of the contracts.

Paul Cozzens made a motion to approve the ratification of the contract for the First and Second Left Hand Canyon bridge replacements with Carter Enterprises, Inc., with funding from the U.S. Forest Service. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RATIFICATION OF A CONTRACT FOR LITTLE CREEK AND RED CREEK FLOODING MITIGATION WITH PROGRESSIVE CONTRACTING, INC., WITH FUNDING FROM THE NATIONAL RESOURCES CONSERVATION SERVICE (NRCS) EMERGENCY WATERSHED PROTECTION (EWP) PROGRAM

Steve Platt explained Progressive Contracting, Inc. was awarded the contract for Little Creed and Red Creek flooding mitigation. The contracts were previously signed to allow Progressive Contracting to begin the project. This procedure was to ratify the signing of the contracts by Alma Adams. Michael Bleak made a motion to approve the ratification of the contract for Little Creek and Red Creek flooding mitigation with Progressive Contracting, Inc., with funding from the NRCS and EWP Programs. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A LOCAL CONSENT FOR A LIMITED SERVICE RESTAURANT LIQUOR LICENSE. LOCATED AT 3052 N IRON SPRINGS ROAD, CEDAR CITY, UTAH

James Bowman, Bowman's Cowboy Kitchen, explained he originally submitted an application for limited sale of beer and wine at Bowman's Cowboy Kitchen. The application was rejected because it contained the incorrect wording of "full-service." Mr. Bowman had corrected the application to read "limited service" to be submitted. Reed Erickson reported that Bowman's Cowboy Kitchen would need to apply for a Conditional Use Permit. Paul Cozzens made a motion to approve the local consent for a Limited Service Restaurant Liquor License for Bowman's Cowboy Kitchen. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF THE CONTINUATION OF HALF SPONSORSHIP (\$26,000) OF "THE COUNTY SEAT" TELEVISION PROGRAM

Dan Jessen, Iron County Auditor, reported that there were funds available to continue the half sponsorship. One half of the funds would come from the General Fund and the other half from Transient Room Tax (TRT). Michael Bleak made a motion to approve the continuation of the half sponsorship of "The County Seat" television program in the amount of \$26,000, half-funded from the General Fund and half from TRT. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Adrienne Walker, Iron County Human Resource (HR) Director, presented the new hire of Laura Darley as a Part-time Secretary for the Sheriff Office, effective October 28th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve the new hire of Laura Darley as a Part-time Secretary for the Sheriff Office, effective October 28th. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

INSURANCE PRESENTATION AND REQUEST FOR FORMAL APPROVAL OF EMPLOYEE INSURANCE BENEFITS FOR THE YEAR 2020

Adrian Walker noted that the Employee Insurance and Benefits renewal for 2020 was approaching. Adrian explained that the Insurance and Benefits need to be approved before the beginning of "Open Enrollment" which was set to begin on November 13th. The Benefits Committee was satisfied with the employee coverage from PEHP. Adrian reported that the providers for dental, vision, life, accidental and dismemberment, long term disability, and the employee assistance program would be renewed with no increase. The HSA and the Opt Out programs would stay the same for 2020. The Medical coverage had a 7.5% increase. The increased cost for Iron County would be an estimated \$178,881. Adrian reported that Iron County saved a minimum of \$500K with the move from IHC to PEHP. The Benefits Committee had requested that the commissioners approve the increase. Nicole Rosenberg encouraged the commission to strongly consider renewing at the 7.5% increase as recommended. Cindy Bulloch asked if Adrian could reach out to PEHP to cover a 3D mammogram. This was not covered by PEHP because they considered it "experimental." Only the standard mammogram was covered. Cindy also asked the commissioners to approve the 7.5% increase. Michael Bleak made a motion to approve the 7.5% increase for medical coverage of the Employee Insurance Benefits with PEHP for the year 2020. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

Prairie Dogs

Reed Erickson reported that there would be an ongoing discussion with the Department of Wildlife Resources (DWR), U.S. Fish & Wildlife Service, and the Bureau of Land Management (BLM) on using the Bald Hills, which would include Beaver County. SITLA owned land on the Bald Hills that had been designated for translocation of the Utah prairie dogs. Reed noted that a possible purchase of the property in Ryan Springs was being contemplated. Reed reported that there was a site visit scheduled that afternoon with those agencies and the Beaver County Commissioners.

Buildings


Lester Ross reported that the Iron County Courthouse would be closed on Veterans weekend to fumigate. The closure would begin on Friday after closing hours through Sunday night. No one would be allowed in building.

ADJOURNMENT

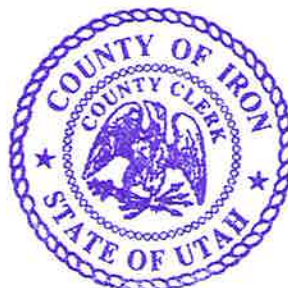
Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma L. Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING
November 12, 2019

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November 12, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair-Excused
Michael P. Bleak	Commission Chair Pro Tem
Paul Cozzens	Commissioner
G. Michael Edwards	County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Nicole Rosenberg	County Treasurer
George Colson	County Emergency Mgmt.
Stephanie Furnival	County CJC Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by George Colson.

INVOCATION

An invocation was offered by Jon Whittaker.

Paul Cozzens made a motion to appoint Michael Bleak as Chairman pro tem in the absence of Commission Chair Alma Adams. Second by Michael Bleak. Voting Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Jonathan Whittaker, Iron County Clerk, reported that the budget was on track with the exception for adjustments made to Travel/Training, Vehicle Fuel, and Credit Card merchant fees. The Election budget was at 81.55 percent. Jon reported that his office staff was working well together amid the recent changes. Shaneal Bess was doing a great job as Chief Deputy Clerk. New hire Merilee Wilson was working well. Jon noted that G'Ne Bartholomew was taking on minutes for Planning Committee as well as the Iron County Commission meetings and appreciated the extra work she was doing. The 2019 Municipal Election was just completed. There was a tie in the Brian Head Election so the winner would be chosen by a coin toss within 30 days as stated by law. All of the Election Canvasses would be completed this week. Paul Cozzens stated that he was disappointed with the low turn out.

George Colson, Iron County Emergency Management Coordinator, reported that the budget was on track. George reported that some of the projects completed were: a satellite phone for Brian Head to enhance their emergency communications; he continued to compile a list of emergency management equipment so it could be insured; he finalized the Radio Repeater Equipment Repair and Maintenance contract with Hamilton Communication Services; he met several times with Gold Cross Ambulance and completed a Cost-sharing Contract. Gold Cross agreed to pay 80 percent of the radio maintenance and upgrades to equipment; he participated in a couple casualty exercises; he wrote and conducted a tabletop exercise for the Community Emergency Response Team, secured an Eagle Scout to fill sand bags for his Eagle Scout project; an Everbridge training was set up with the Rural Fire Department in conjunction with the Cedar City Fire and Iron County IT; Mike Phillips was transferring the paging system onto the Everbridge program; in conjunction with the Iron County GIS, geological survey, and water providers he received a map for the primary water sources with an overlay to the fault lines. George reported that Cedar City was at high risk because all three water tanks were sitting on faults, which he communicated to Cedar City.

Stephanie Furnival, Iron County Children's Justice Court (CJC) Director, reported that the "Dancing with the Stars" fund raiser would be held on November 21st at 7pm in the Heritage Center. Scott Phillips and Fred Adams continued to go "over the top" with the production. Last year they raised \$50K. All the proceeds go to the CJC to provide the best services possible to victims and families at the center. Funds had been used to assist with mental health and options to the families. Stephanie reported that the new Yoga class works on healing and new skills to cope with the trauma the children experience. Chelsea Robinson encouraged and inspired the children to be leaders and some even lead the classes. All the children were anxious to participate in the yoga classes. The Dancing with the Stars fund raiser would be the kickoff for the state wide "Shine Awareness" campaign. The focus was being the light for survivors to turn to and not focusing on the act of abuse. Stephanie reported that the CJC budget runs from July 1 to June 30th and all have been renewed. The CJC received an increase of the Victims of Crime Act (VOCA) grant that was approved for the next two years. Teresa Wood, Victim Advocate in Beaver County, was working to open a satellite office in Garfield County and was in need of a location. They were seeking a \$25K grant to help fund the Garfield CJC. Having a center in Garfield County would be vital so victims and families would not need to travel to Beaver. Garfield County was one of the last counties in state to have a CJC. Paul Cozzens suggested that there was a Five County health building that could be used. He would follow up with Five County. She reported that having therapy available in schools with individual sessions had been very helpful in the healing process. Stephanie expressed her gratitude for the school district.

Paul Cozzens, Iron County Commissioner, reported that the building of the new Road Department Building had begun and was progressing. They were looking for an air compressor for the building.

Michael Bleak, Iron County Commissioner, reported that there was a Critical Incident Task Force put together with three counties that included Iron County, Beaver County and Garfield County. It included Law Enforcement, mental health professionals, victim advocates, and crime scene technicians that primarily handle officer involved shootings and in-custody deaths. Even though the incidents were rare it was the highest in liability in the agencies. In fact, there had been an officer involved shooting in Cedar City the previous night and 24 members of the task force were on site within an hour. Everyone worked very well together to get things done. There was a great cooperation between departments. Mike stated that recognition for the response and organization of the task force needed to be given. Due to the cooperation and organization they did not have to rely on outside help.

Jon Whittaker, Iron County Clerk, reported that he met with Maria Twitchell to ease the application process for events that were “multiple-jurisdiction.” They would be using a software program from building inspections to track events and put them on a calendar. It would help give a heads up for events to different agencies. They were working on an Interlocal Agreement and resolutions and hope to have it up and running by December and full running by 2020. Jon thanked Brady Frei for the software program with no additional cost after the purchase of the package.

PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT REGARDING THE COUNCIL OF AGING APPLYING FOR A GRANT TO PAY FOR AN ADDITION TO THE CEDAR CITY SENIOR CENTER BUILDING

Curtis Crawford, Iron County Senior Citizens’ Director, explained that the State of Utah had a Community Development Block Grant (CDBG) program that provides grants to cities of fewer than 50,000 residents, and counties of fewer than 200,000. The Five County Association of Governments (AOG) received \$835K of the grant and then it was divided between counties. Curtis was asking that \$200K of the grant be applied to the Cedar City Senior Center. The center was not large enough and the porch on north end was not used and could be enclosed or replaced. The Cedar City Senior Center request meets all criteria of the grant. Michael Bleak, Iron County Commission Chair pro tem, declared the public hearing regarding the COA grant application support for the Cedar City Senior Center building open. Jon Whittaker noted that the project matched the criteria well and the public hearing was the start of the process to begin the grant application. It would need to be put on priority list. Dixie Teacum, Five County Chair, explained that she got involved with the project as a senior participant of the center. Dixie reported that she has done extensive grant writing and wanted to help. More space was definitely needed in the center. There were large groups playing various games and no room for them all. As a result of no room they have to hold them in other places. She attended a meeting and received the grant application and was given encouragement to apply for two years: \$200,000 for 2020 and \$100,000 for 2021. No further comments offered. Michael Bleak declared the public hearing closed.

PUBLIC HEARING REGARDING THE PROPOSED ISSUANCE BY THE COUNTY OF UP TO \$9,000,000 OF ITS FACILITIES REVENUE BONDS, LOANED TO THE DIXIE AND ANNE LEAVITT FAMILY FOUNDATION TO PROVIDE FUNDS FOR A NEW STUDENT RESIDENCE HALL

Paul Cozzens abstained from any comments due to conflict of interest.

Alan Jones, Trustee for the Leavitt Foundation, explained that on October 14th the Iron County Commission passed an Inducement Resolution to allow up to \$9M of Industrial Revenue Bonds for the construction of a new student resident hall for Southern Utah University (SUU). The public hearing was the next step in the process. Mr. Jones explained that Iron County would have no responsibility to make payments of the bond. The payment would be made from the Dixie and Anne Leavitt Foundation. Michael Bleak, Iron County Commission Chair pro tem,

declared the public hearing regarding the proposed issuance of up to \$9M of its Industrial Revenue Bonds to SUU open. No comments were offered. Michael Bleak declared the public hearing closed.

PUBLIC COMMENTS

No public comments were offered.

PRESENTATION OF THE IRON COUNTY 2020 TENTATIVE BUDGET

Dan Jessen, Iron County Auditor, explained that per code the tentative budget would be approved and available to the public for viewing. Dan reported that the presentation would happen at the November 25th Iron County Commission meeting and the tentative budget would be adopted at this meeting. He noted that anyone wanting to discuss the tentative budget to make an appointment with him. Paul Cozzens made a motion to adopt the Iron County 2020 Tentative Budget. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

DISCUSSION AND VERIFICATION OF WORDING IN ORDINANCE 2019-8, ADOPTING A PROVISION FOR URBAN FARMING PREVIOUSLY APPROVED BY THE COMMISSION ON OCTOBER 14TH

Reed Erickson, Iron County Planning, explained the purpose of the discussion was to verify the language changes that were corrected. The changes were made to reflect the changes requested by the commissioners during the October 28th Iron County Commission meeting. Paul Cozzens made a motion to approve the change of wording regarding Ordinance 2019-8 to comply with Management Code and that the changes did not change the original intent of the ordinance. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY ORDINANCE 2019-8

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING A NEW PROVISION FOR URBAN FARMING BY AMENDING SECTION 17.84.010 – DEFINITIONS, AMENDING SECTION 17.16.020 – USE DEFINITIONS, SECTION 17.17.030 – TABLE OF USES, SECTION 17.36.250 – THE KEEPING OF DOMESTIC ANIMALS, SECTION 17.30.020 – AGRICULTURAL USE CLASSIFICATIONS AND DEFINITIONS, SECTION 17.30.030 – SWINE OPERATIONS, SECTION 17.30.040 – ANIMAL OPERATIONS OTHER THAN SWINE, AND ADDING SECTION 17.36.290 – FARM STAND; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Iron County has determined in accordance with Utah Code and the Iron County Land Management Code, that certain provisions be established that define and regulate “Urban Farming” for tax benefits and small lot agriculture; and

Whereas, the proposed ordinance is designed to implement the objectives of the County to promote options for property use while reasonably regulating the same to minimize adverse impacts to surrounding properties and to serve the purposes of the Iron County Zoning Ordinance; and

Whereas, the County Commission finds that it is in the best interest of the County after taking into consideration the citizens’ health, safety and welfare, to add and amend the following ordinances; and

Whereas, the Planning Commission of Iron County has held a duly advertised and noticed public hearing on the proposed amendments to the Zoning Ordinance of Iron County, Utah, and has carefully and thoroughly reviewed and considered the comments received, and has voted to forward the proposed ordinance to the Iron County Commission with a recommendation for approval; and,

Whereas, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed ordinance and after considering the public comments and the language of the proposed ordinance, the County Commission concludes that the proposed ordinance appropriately considers and balances all interests in accordance with the purposes and goals of the County Land Use Development and Management Act; the Iron County General Plan; and the Iron County Zoning Ordinance.

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

SECTION 1. Within **Section 17.84.010 - Definitions**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content to remain un-amended*):

"Family" means one or more persons related by blood, marriage, adoption, or guardianship or a group of not more than four unrelated persons living together as a single nonprofit housekeeping unit, together with any incidental domestic staff who may or may not reside on the premises. Family does not exclude the care of foster children.

"Farm Animal" means domestic animals, including fowl, exotic animals, or other animals so long as the animal is kept for the purpose of a farm product, for farm operation, or service to a human. Farm animal does not include animals used for research in a scientific laboratory, or specimens in a zoo, or wild or other animals in a rehabilitation facility.

"Foster child" means a child under eighteen years of age in the custody of the Utah Division of Child and Family Services and temporarily placed in a licensed foster care home as prescribed by Utah law.

"Manufactured home" means a transportable, factory-built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, and when erected on site, the home must be at least twenty feet in width at the narrowest dimension, have exterior and roofing materials acceptable to the county's building codes, have a minimum roof pitch of 2:12, and be located on a permanent foundation and connected to the required utilities, including plumbing, heating, air conditioning and electrical systems. A manufactured home shall be identified as real property on the property assessment rolls of Iron County. All manufactured homes constructed on or after June 15, 1976, shall be identified by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

"Market Garden" means food crops, plant fiber, ornamentals, or other plants grown to be sold for profit.

"Mobile home" means a transportable, factory-built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code). The following are excluded from this definition:

1. Travel trailers, motor homes, camping trailers, or other recreational vehicles; and
2. Manufactured home.

"Treatment" means a method, technique, or process designed to change the physical, chemical, or biological character or composition of any solid or hazardous waste so as to neutralize such waste or so as to render such waste nonhazardous, safer for transport, amenable for recovery, amenable to storage or reduced in volume.

“Utah Farming Assessment Act” means adopted Utah Code and authorized in Iron County, Utah, for general property tax purposes, land that may be assessed on the basis of the value that the land has for agricultural use if the land qualifies under Section 59-2-1703 UCA. “Urban Farming” as defined in the Urban Farming Assessment Act (59-2-17 UCA), means cultivating food, or other marketable crop, with a reasonable expectation of profit from the sale of the food, or other marketable crop, and from irrigated land, located in a county that has adopted an ordinance governing urban farming in the county, pursuant to Section 59-2-1714. “Urban farming” does not include cultivating food derived from an animal, or grazing.

“Use” means the purpose or purposes for which land or a building is occupied, maintained, arranged, designed or intended.

SECTION 2. Section 17.16.020 – Use Definitions, of the Iron County Code, shall be, and hereby is, identified and added to read as follows (*all other existing content to remain un-amended*):

17.20.010 - Definitions.

For the purpose of applying the table of uses and rendering other decisions required by this Title 17, the uses identified in the table of uses are defined as follows:

“Accessory agricultural sales” means a location for the sale of agricultural or horticultural products which are grown on the a farm, hobby farm, or urban farm site: ~~(1) products can only be sold during the season in which they are produced with no permanent structure; and (2) all products for sale must be grown on-site, not having been purchased for the purpose of resale, and are not subject to the “farm stand” requirements of Section 17.36.290.~~ Accessory agricultural sales may include the sale of products grown on noncontiguous parcels owned, leased, or controlled by the same operator of the farm, hobby farm, or urban farm.

“Accessory dwelling” means a dwelling unit for use as an independent living or dwelling unit located on the same parcel as a permitted principal use which is determined through conditional use review to be secondary to the permitted principal use. “Farm” means an area of not less than twenty contiguous acres or larger which is used for the commercial production of farm crops, such as vegetables, fruit trees, hay, grain, and other products and their storage, as well as the raising thereon of farm poultry and farm animals, such as horses, cattle, sheep, swine and fur-bearing animals for commercial purposes and dairy farms. The term “farm” includes the operating of such an area for one or more of the above uses with the necessary accessory uses for treating or storing the products, and including accessory farm employee housing which must be located on the farm and shall not be divided or sold separately from the farm parcel. Farm includes Type II animal operations and Type II swine operations.

“Farm Stand” means a part of a farm, hobby farm, or urban farm which is a structure, place or area where ~~transactions between a farmer and customers take place seasonally or year-round. This includes roadside stands, farm stands, an area with or without a physical structure, a temporary structure such as a tent, etc.,~~ where at least 50% of the products or name-sake products marketed and offered for sale are produced on and by the farm, hobby farm, or urban farm, upon which property the farm stand is located, and is regulated by Section 17.36.290.

“Fish farm” means the hatching and raising of fish for the purpose of harvesting and sale. Fish farms do not include recreational fishing operations.

“Heliport” means any designated area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

“Hobby farm” means a farming operation that generally meets the description of a farm, including the production of farm crops, as well as raising thereon of farm poultry and farm animals; however, a hobby farm may not have more animals than allowed in a Type I animal operation or Type I swine operation, and does not require a twenty-acre minimum lot size, but must have a minimum of two contiguous acres. All provisions of Section 17.36.250 of the Iron County zoning ordinance shall apply to hobby farms within a subdivision in the R-2 and R-5 zoning districts.

“Home occupation” means an accessory use consisting of a vocational activity conducted inside a dwelling unit and conducted only by the individuals who reside therein and provided that the home occupation:

“UPDES Permit No. UTG080000” means Utah pollutant discharge elimination system general approval for concentrated animal feeding operations (CAFOs) Permit No. UTG080000, issued by the Utah State Department of Environmental Quality (DEQ) for the purpose of maintaining that large animal feeding operations shall have no discharge from their manure management facilities and remain in compliance with the provisions of the Utah Water Quality Act, Title 19, Chapter 5, Utah Code Annotated, 1953.

“Urban Farm” means a small farming operation that is generally conducted in urban residential areas of the county, includes the production of farm crops, including land used for the production of market gardens, as well as raising thereon of farm animals; however, an urban farm may not have more animals than allowed in Sections 17.30.020 and 17.30.030 of the Iron County Code. Provisions of Section 17.36.250 of the Iron County zoning ordinance shall apply to “Urban Farms” within a subdivision in the R-1/2, R-1, R-2 & R-5 zoning districts.

"Urban planning area" means a political or planning boundary surrounding a municipality, identified by the municipality, for the purpose of planning for land uses beyond the incorporated boundary of the municipality. Other common associated names include "policy declaration area" or "growth boundary."

SECTION 3. Within **Section 17.16.030 – Table of Uses**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

Uses	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA
Accessory agricultural sales	P	P	X	P	P	P	P	P	P	P	P
Accessory dwelling	A	X	X	C	X	X	X	A	A	A	A
Airport	C	C	X	C	X	X	X	X	X	C	C
Animal operation											
Urban (0-10 AUs)	P	P	P	P	P	P	P	X	X	P	P
Type I (11—25 AUs)	P	P	A	P	P	X	X	X	X	P	P
Type Ia (26—99 AUs)	P	P	X	X	X	X	X	X	X	P	P
Farm	P	P	X	X	X	X	X	X	A	P	P
Farm Stand	A	A	X	A	A	A	XA	A	A	A	A
Fish farm	P	P	X	X	X	X	X	X	C	P	P
Heliport	C	X	X	X	X	X	X	C	C	C	C
Hobby farm	P	P	X	P	P	X	X	X	A	P	P
Home occupation	P	P	X	P	P	P	P	X	X	X	P
Surface mining	C	X	X	X	X	X	X	X	X	C	C
Swine operation											
Type I (0—5 <u>2</u> swine)	P	P	X	P	P	P	XP	X	X	P	P
Type II (3-5 swine)	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>
Type Ia-III (6—20 swine)	P	P	X	X	X	X	X	X	X	P	P
Type H-IV (21—50 swine)	P	X	X	X	X	X	X	X	X	C	P
Type H-V (51-249 swine)	C	X	X	X	X	X	X	X	X	X	C
Type IV-VI (250 or more swine)	X	X	X	X	X	X	X	X	X	X	C
Temporary dwelling unit	A	A	A	P	P	P	P	X	X	X	A
Temporary use	P	P	P	P	P	P	P	P	P	P	X

Travel trailer park *1—4 spaces **5+ spaces	CA*, **C	XC* X**	X	X	X	X	X	C	X	X	X
Urban Farm	P	P	P	P	P	P	P	X	A	P	P
Utility service facility	P	P	P	P	P	P	P	P	P	P	P

SECTION 4. Within **Section 17.36.250 – The keeping of domestic animals**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

17.36.250 – The keeping of domestic animals. For properties located in subdivisions recorded with the Iron County Recorder, residential districts (R-5, R-2, R-1 & R1/2), the keeping of domestic animals is permitted limited to the following:

A. For the purpose of this title, domestic animals shall be limited to horses, mules, donkeys, cows, sheep, llamas/alpacas, goats, swine, rabbits, geese, ducks, turkeys, and chickens.

B. Animals, stables, barns, and accessory buildings for the accommodation of animals is not permitted in the R-2, R-1 and R-1/2 districts unless a privately occupied residence exists on the same lot.

C. All permitted animals and fowl are to be adequately maintained in a sanitary and healthful manner to prevent annoyances, offensive odors, insects or disease. All animals must be adequately restrained to prevent escape from the lot, marauding nuisance or damage to other property.

D. Large animals (horses, donkeys, mules or cows) may graze to the property lines, but all animals must be cared for, maintained, fed and watered, and where provided, housed, within the boundaries of the applicable side and rear building setbacks and at least sixty feet from the property line adjacent to any public street. All barns, sheds, pens and corrals for the keeping of any animals allowed in the district shall be located with applicable setbacks and at least fifty feet from any existing dwelling, church or any other building not located on the lot which structure is used for human occupancy.

E. Prior to an investigation of any violation of this section, the Iron County zoning administrator, or his designee, may require a minimum of three written complaints signed from affected property owners within a one mile radius prior to doing an investigation of the accused violation.

F. Any person deemed to be in violation of this title shall clean up such violation within thirty days of notice of each violation. Such violations will be punishable as outlined in this title.

1. It will be the duty of the Iron County zoning administrator, or designee, to investigate any violation as described in the above sections and ascertain the names of the owners or occupants of such premise and to serve such person notice in writing, either personally or by mailing notice, postage prepaid to the owner or occupant of the last known post address as disclosed by records of the Iron County recorder, requiring such owner or occupant as the case may be, to eradicate, remove, and correct the same within such time as the zoning administrator may designate, which shall not be less than ten days from the date of the service of such notice. One notice shall be deemed sufficient on any lot or parcel of property for the issue of addressing such violations. The zoning administrator or his designee, shall make proof of service of such notice under oath and file the same in the office of the Iron County clerk.

2. If any owner or occupant of land described in the notice referred to above shall fail or neglect to eradicate or address the violations stated by the zoning administrator in accordance with such notice, it shall be the duty of the zoning administrator or the Iron County sheriff's office, at the expense of Iron County, to employ necessary assistance and cause such violation to be eradicated, removed, and corrected. The zoning administrator shall prepare an itemized statement of all expenses incurred in the eradication, removal, or correction of the same and shall mail a copy thereof to the owner demanding payment within twenty days of the date of mailing. Such notice shall be deemed delivered when mailed by registered mail, addressed to the property owner's last known address listed in the records of the Iron County recorder's office.

3. Any expense incurred by the county in eradicating, removing or correcting the violation is paid by the property owner of record or the person in possession of the property, as the case may be, within twenty days after receipt of the charges incurred by the county. If not paid within twenty days after notice of the charges, the charges become a lien against the property and are collectible by the county treasurer at the time general property taxes are collected.

4. Any violation prosecuted by the zoning administrator or the Iron County sheriff's office under this title shall be deemed an infraction.

G. Other domestic animals not mentioned herein may be kept subject to securing an administrative land use permit which may limit the number of animals and the conditions under which they may be kept, including the location of any structure for their housing.

SECTION 5. Within **Section 17.30.020 – Agricultural use classifications and definitions**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

17.30.020 - Agricultural use classifications and definitions.

The following animal operation classifications are added or replace any previous classifications and/or definitions set forth in the Iron County zoning ordinance.

Animal Operation. "Animal operation" means a lot or building or combination of contiguous lots or buildings, designed and intended for the confined feeding, breeding, raising, or holding of animals other than swine. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland and vegetative cover is not maintained within the enclosure. The facilities are specifically designed as a confinement area where manure may accumulate and the concentration of animals is such that vegetative cover is not maintained within the enclosure.

There are seven types or categories of animal operations, as described in this section. Criteria to specifying animal operation types are generally specified by animal numbers (see Section 17.30.040(B) of this chapter) and periods of concentration, but may include specific requirements for groundwater management, as described in this section.

Animals less than six months of age that are unweaned (sucklings) shall not be considered in counting animal numbers when determining animal operation types.

1. Urban Animal Operation. "Urban animal operation" means a small animal operation with the number of animals confined to be less than a Type I animal operation (10 animal units) for an unspecified period.

2. Type I Animal Operation. "Type I animal operation" means an animal operation with the numbers of animals confined to be less than a Type II animal operation (eleven to twenty-five animal units) for an unspecified period.

3. Type II Animal Operation. "Type II animal operation" means an animal operation with the numbers of animals confined, for an unspecified period, to be less than a Type III or Type IV animal operation (one thousand animal units), but equals or exceeds:

- a. Twenty-six slaughter and feeder cattle;
- b. Eighteen mature dairy cattle, whether milked or dry cows;
- c. Thirteen horses;
- d. Two hundred sixty sheep;
- e. One thousand four hundred thirty turkeys;
- f. Two thousand six hundred laying hens or broilers, if the facility has continuous over flow watering;
- g. Seven hundred eighty laying hens or broilers, if the facility has a liquid manure handling system;
- h. One hundred thirty ducks; or
- i. Twenty-Six Animal Units. This is intended to include total animal units combining all species kept at the same facility.

4. Type III Animal Operation. "Type III animal operation" means an animal operation with the numbers of animals confined, for less than one hundred eighty days, to be less than a Type V animal operation, but equals or exceeds:

- a. One thousand slaughter and feeder cattle;
- b. Seven hundred mature dairy cattle, whether milked or dry cows;
- c. Five hundred horses;
- d. Ten thousand sheep;
- e. Fifty-five thousand turkeys;
- f. One hundred thousand laying hens or broilers, if the facility has continuous over flow watering;
- g. Thirty thousand laying hens or broilers, if the facility has a liquid manure handling system;
- h. Five thousand ducks; or
- i. One Thousand Animal Units. This is intended to include total animal units combining all species kept at the same facility.

5. Type IV Animal Operation. "Type IV animal operation" means an animal operation with the numbers of animals confined, for more than one hundred eighty days, to be less than a Type VI animal operation, but equals or exceeds:

- a. One thousand slaughter and feeder cattle;
- b. Seven hundred mature dairy cattle, whether milked or dry cows;
- c. Five hundred horses;
- d. Ten thousand sheep;
- e. Fifty-five thousand turkeys;
- f. One hundred thousand laying hens or broilers, if the facility has continuous over flow watering;
- g. Thirty thousand laying hens or broilers, if the facility has a liquid manure handling system;

- h. Five thousand ducks; or
 - i. One Thousand Animal Units. This is intended to include total animal units combining all species kept at the same facility. A facility includes all buildings, pens, lots, corrals and property where animals are kept that falls within the required separation distance for a Type IV animal operation. Or one of the following conditions are met:
 - i. Utah pollutant discharge elimination system (UPDES) general approval for concentrated animal feeding operations (CAFOs) (Permit No. UTG080000) is required or recommended by the department of environmental quality, water quality division, or the executive secretary of the Utah water quality board designates the animal feeding operation as a CAFO;
 - ii. Lagoons are discharged into the waters of the state through a man-made ditch, flushing system, or other similar man-made device;
 - iii. Pollutants are discharged directly into the waters of the state which originate outside and pass over, across or through the facility or otherwise come into direct contact with the animals confined in the operation; or
 - iv. Where regulations governing surface water discharges (U.C.R. 317-8-3.5), qualify the operation as a CAFO, and as such, coverage under the Utah pollutant discharge elimination system (UPDES) general approval for CAFOs (Permit No. UTG080000) would be required.
6. Type V Animal Operation. "Type V animal operation" means an animal operation with the numbers of animals confined, for less than ninety days, to equal or exceed:
- a. Two thousand slaughter and feeder cattle;
 - b. One thousand five hundred mature dairy cattle, whether milked or dry cows;
 - c. One thousand horses;
 - d. Fifteen thousand sheep;
 - e. One hundred thousand turkeys;
 - f. Two hundred thousand laying hens or broilers, if the facility has continuous over flow watering;
 - g. Sixty thousand laying hens or broilers, if the facility has a liquid manure handling system;
 - h. Ten thousand ducks; or
 - i. Two Thousand Animal Units. This is intended to include total animal units combining all species kept at the same facility. A facility includes all buildings, pens, lots, corrals and property where animals are kept that falls within the required separation distance for a Type V animal operation.
7. Type VI Animal Operation. "Type VI animal operation" means an animal operation with the numbers of animals confined, for more than ninety days in any twelve month period, equals or exceeds;
- a. Two thousand slaughter and feeder cattle;
 - b. One thousand five hundred mature dairy cattle, whether milked or dry cows;
 - c. One thousand horses;
 - d. Fifteen thousand sheep;
 - e. One hundred thousand turkeys;
 - f. Two hundred thousand laying hens or broilers, if the facility has continuous over flow watering;
 - g. Sixty thousand laying hens or broilers, if the facility has a liquid manure handling system;
 - h. Ten thousand ducks; or
 - i. Two Thousand Animal Units. This is intended to include total animal units combining all species kept at the same facility. A facility includes all buildings, corrals and property where animals are kept that falls within the required separation distance for a Type VI animal operation, and a Utah pollutant discharge elimination system (UPDES) general approval for concentrated animal feeding operations (CAFOs) (Permit No. UTG080000) is required or recommended by the department of environmental quality, water quality division, or the executive secretary of the Utah water quality board designates the animal feeding operation as a CAFO.

Farm. "Farm" means an area of twenty contiguous acres or more which is used for the commercial production of farm crops, such as vegetables, fruit trees, hay, grain and other products and their storage, as well as the raising thereon of farm poultry and farm animals, such as horses, cattle, sheep, swine and fur bearing animals for commercial purposes and dairy farms. The term "farm" includes the operating of such an area for one or more of the above uses with the necessary accessory uses for treating or storing the products and including farm employee housing, which must be located on the farm and shall not be divided or sold separately from the farm parcel. Farm includes Type II animal operations and Type II swine operations.

Hobby Farm. "Hobby farm" means a farming operation that generally meets the description of a farm, including the production of farm crops, as well as raising thereon of farm poultry and farm animals; however, a hobby farm may not have more animals than allowed in a Type I animal operation or Type II swine operation, and does not require a twenty-acre minimum lot size, but must have a minimum of two contiguous acres. All provisions of Section 17.36.250 of the Iron County zoning ordinance shall apply to hobby farms within a subdivision in the R2 and R5 zoning districts.

Swine Operation. "Swine operation" means a lot or building or combination of contiguous lots or buildings, designed and intended for the confined feeding, breeding, raising, or holding of swine. Feed is brought to the swine rather than the swine grazing or otherwise seeking feed in pastures, fields, or on rangeland and vegetative cover is not maintained within the enclosure. The facilities are specifically designed as a confinement area where manure may accumulate and the concentration of animals is such that vegetative cover is not maintained within the enclosure.

There are ~~five-six~~ types or categories of swine operations, as described in this subsection. Criteria generally used to determine swine operation types are animal numbers and may include specific requirements for groundwater management, as described in this subsection.

Swine less than fifty-five pounds that are unweaned (sucklings) shall not be considered in counting swine numbers when designating swine operation types.

1. ~~Type I Swine Operation.~~ "Type I swine operation" means a swine operation with ~~five-two~~ or less swine (no farrowing sow), for an unspecified period.

2. ~~Type II Swine Operation.~~ "Type II swine operation" means a swine operation with more than two and less than six swine, for an unspecified period.

23. ~~Type Ia-III Swine Operation.~~ "Type Ia swine operation" means a swine operation with more than five and less than twenty-one swine, for an unspecified period.

34. ~~Type H-IV Swine Operation.~~ "Type II swine operation" means a swine operation with more than twenty and less than fifty-one swine, for an unspecified period.

45. ~~Type H-V Swine Operation.~~ "Type III swine operation" means a swine operation with more than fifty swine and less than two hundred fifty swine, for an unspecified period.

56. ~~Type IV-VI Swine Operation.~~ "Type IV swine operation" means a swine operation with two hundred fifty swine or more, for an unspecified period.

Urban Farm. "Urban Farm" means a small farming operation that is generally conducted in urban residential areas of the county, includes the production of farm crops, including land used for the production of market gardens, as well as raising thereon of farm animals; however, an urban farm may not have more animals than allowed in this Section (17.30.020) and Section 17.30.030 of the Iron County Code. Provisions of Section 17.36.250 of the Iron County zoning ordinance shall apply to "Urban Farms" within a subdivision in the R1/2, R1, R2 & R5 zoning districts.

SECTION 6. Within Section 17.30.030 – Swine Operations, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

A. Summary Chart for Swine Operations.

SWINE OPERATION TYPE	SWINE >55 LBS.*	CONFINEMENT PERIOD	ZONES A-20/I-A		MIN. SEPARATION DISTANCE SCHEDULE**	REGULATION LEVEL***
Type I	0- 5 2	NA	P	P	NA	A
Type II	3-5	NA	P	P	NA	A
Type Ia III	6-20	NA	P	P	NA	B
Type H IV	21-50	NA	P	P	NA	B
Type H V	51-249	NA	C	C	3	D
Type I V VI	250 or more	NA	X	C	4	E

Notes:

* Swine less than fifty-five pounds that are unweaned (sucklings) shall not be considered in counting swine numbers when determining swine operation types.

** Separation Schedules:

Schedule 3

1 mile + ¼ mile/50 swine over 50 swine up to 2 miles (public places)

¼ mile from Type H~~V~~ or Type I~~V~~VI swine operations, Type IV, Type V, or Type VI animal operation, residence

200 ft. from fed/state road, ungrouted private well, water body

100 ft. from county road, grouted private well

Schedule 4

- 2 miles + 1/10 mile/250 swine over 250 swine up to 8 miles (public gathering places)
- ½ mile from Type III or Type IV-VI swine operation, Type IV, Type V, or Type VI animal operation, residence
- 300 ft. from fed/state road, or water body
- 200 ft. from county road, or ungrouted private well
- 100 ft. from grouted private well

***Regulation Level:

- A Section 17.36.250, <20 acres
 - B 20 acre min.
 - D 20 acre min., CUP, separations (UPDES, CNMP, if required)
 - E 80 acre min., CUP, separations, odors, zone change, UPDES, CNMP
- CUP—Conditional use permit approved by the Iron County planning commission.
 UPDES—Utah pollutant discharge elimination system general approval for CAFOs Permit No. UTG080000, issued by the Utah State Department of Environmental Quality (DEQ).

CNMP—Comprehensive nutrient management plan, prepared in accordance with the Natural Resources Conservation Service, Field Office Technical Guide.

B. Animal Units.

1. A Type I swine operation may not exceed five two swine (two one animal units).
2. A Type II swine operation may not exceed 5 swine (two animal units).
23. A Type Ia-III swine operation may not exceed 20 swine (eight animal units).
34. A Type II-IV swine operation may not exceed fifty swine (twenty animal units).
45. A Type III-V swine operation exists when there are provisions on the operation site for more than fifty swine (twenty animal units), but less than two hundred fifty swine (one hundred animal units).
56. A Type IV-VI swine operation exists when there are provisions on the operation site for two hundred fifty or more swine (one hundred animal units).

C. Separation Distances. The following minimum separation distances shall apply to all Type III-V and Type IV-VI swine operations. Separation distances shall be measured from the closest edge of the Type III-V or Type IV-VI swine operation building or containment area, or the waste treatment facility, to the boundary of the neighboring property from which the separation must be established.

1. Type I Swine Operation Separation Distances. There are no required minimum separation distances for urban farms or hobby farms.
2. Type II Swine Operation Separation Distances. There are no required minimum separation distances for farming operations and feedlots.
3. Type III Swine Operation Separation Distances. There are no required minimum separation distances for farming operations and feedlots.
4. Type IV Swine Operation Separation Distances. There are no required minimum separation distances for farming operations and feedlots.
35. Type III-V Swine Operation Separation Distance.
 - a. Public Gathering Places. There shall be a minimum separation distance of one mile for Type III swine operations from any hospital, outdoor recreation facility, national park, state park, historic property, child care center, school, urban planning area, incorporated municipality, or church.
 - b. Incremental Increases. The separation distance shall increase by an additional one-fourth of a mile for every fifty swine (twenty animal units), above fifty swine (twenty animal units) not to exceed two miles.
 - c. Type III-V and Type IV-VI Swine Operations, Types III, IV, V, VI Animal Operations and Residences. A Type III swine operation shall maintain a minimum separation of one-quarter mile from a Type IV-VI swine operation, another Type III-V swine operation, Types III, IV, V, VI animal operation, or to the boundary of the neighboring occupied property with an inhabitable structure, with no incremental increases for additional animal units.
 - d. Separation Distance Exemption. The minimum separation distances from the following public gathering places shall not be required of a new Type III-V swine operation where the owners of a hospital, child care center, private school, or church have granted an odor easement to the owners of the new Type III-V swine operation. Such odor easement shall comply with the terms set forth in Section 17.30.060 of this chapter.
 - e. Other Separations. Type III-V swine operations shall have a two hundred foot distance from any state or federal road right-of-way and one hundred feet from any county right-of-way. A Type III-V swine operation cannot be located within Zone 1 or Zone 2 of any public water system; or within two hundred feet of an ungrouted private well, or one hundred feet from a grouted private well, as provided in Southwest Utah Public Health Department rules for nonpublic water systems. A Type III-V swine operation shall not be within two hundred feet of any open water body, including streams, lakes and commonly shared irrigation canals, etc.
 - f. Prevailing Wind Provision. Upon showing by a conditional use permit applicant, the planning commission, by convincing evidence that there is a historical prevailing wind, may offset the separation distance sphere by as much as fifty percent. However, the offset shall not decrease the area within the separation distance. The shape and size of the separation area shall remain constant. This provision allows only for the shifting of the separation area sphere to the downwind direction by as much as fifty percent.

46. Type IV-VI Swine Operation Separation Distances.

- a. Public Gathering Places. The minimum separation distance for Type IV-VI swine operations shall be at least two miles from any hospital, outdoor recreation facility, national park, state park, historic

property, child care center, school, urban planning area, incorporated municipality, nonagriculture-based business, or church.

b. Incremental Increases. The separation distance shall increase one-tenth of a mile for every additional two hundred fifty swine (one hundred animal units) above two hundred fifty swine (one hundred animal units). Such distance shall not exceed eight miles.

c. Type ~~III-V~~ and Type ~~IV-VI~~ Swine Operations, Types III, IV, V, VI Animal Operations and Residences. A Type ~~IV-VI~~ swine operation shall maintain a minimum separation of one-half mile from a Type ~~III-V~~ swine operation, another Type ~~IV-VI~~ swine operation, Types III, IV, V, VI animal operation, or to the boundary of the neighboring occupied property with an inhabitable structure, with no incremental increases for additional animal units.

d. Separation Distance Exemption. The minimum separation distances from the following public gathering places shall not be required of a new Type ~~IV-VI~~ swine operation where the owners of a hospital, child care center, private school, or church have granted an odor easement to the owners of the new Type ~~IV-VI~~ swine operation. Such odor easement shall comply with the terms set forth in Section 17.30.060 of this chapter.

e. Other Separations. There shall be three hundred feet from the Type ~~IV-VI~~ swine operation facility to any, state, or federal road right-of-way, and two hundred feet from any county right-of-way. A Type ~~IV-VI~~ swine operation cannot be located within Zone 1 or Zone 2 of any public water system; or within two hundred feet of an ungrouted private well, or one hundred feet from a grouted private well, as provided in Southwest Utah Public Health Department rules for nonpublic water systems. A Type ~~IV-VI~~ swine operation shall not be within three hundred feet of any open water body, including streams, lakes and commonly shared irrigation canals, etc.

f. Prevailing Wind Provision. Upon showing by a conditional use permit applicant, the planning commission, by convincing evidence that there is a historical prevailing wind, may offset the separation distance sphere by as much as fifty percent. However, the offsets shall not decrease the area within the separation distance. The shape and size of the separation area shall remain constant. This provision allows only for the shifting of the separation area sphere to the downwind direction by as much as fifty percent.

D. Public Health, Safety, Welfare and Water/Air Quality.

1. Type ~~IV-VI~~ swine operation owners must take actions to minimize water/air pollution and public health and safety impacts from confinement and waste treatment facilities. To accomplish this goal and as part of the conditional use permit required by all Type ~~IV-VI~~ swine operations, the Type ~~IV-VI~~ swine operation owner shall be required to develop and implement technically sound, economically feasible, and site-specific comprehensive nutrient management plans (CNMPs) in accordance with the latest technical guidance of the natural resources conservation service. Additionally, Type ~~IV-VI~~ swine operations shall be required to obtain a Utah pollutant discharge elimination system (UPDES) general approval for concentrated animal feeding operations (Permit No. UTG080000), issued by the Utah State Department of Environmental Quality (DEQ). In the event that the Utah Department of Environmental Quality is unable or unwilling to accept a UPDES permit application, Iron County planning commission shall require as a condition of the conditional use permit, standards equal to that required by UPDES Permit No. UTG080000 and reviewed by an engineer selected and agreed upon mutually by the applicant and the Iron County planning commission, and paid for by the applicant. All Type ~~IV-VI~~ swine operations shall prepare a "Best Management Plan for Odor Control," required by this chapter, as part of the CUP application process. All Type ~~IV-VI~~ swine operations must use the best wastewater treatment technology, available at the time of permitting, to protect the public health, safety, welfare and water/air quality.

Best wastewater treatment technology puts primary emphasis on the prevention of groundwater contamination, control of air contaminants and odors. Iron County recognizes that the swine industry, government and society are taking steps to develop and implement new technology that will protect the environment and the economy by replacing current lagoon systems with superior waste disposal technologies. Once new technologies are identified, large swine operations around the country have committed to convert their facilities and phase out their current anaerobic lagoon systems. Therefore, Iron County has determined that open-air anaerobic lagoons are not considered adequate wastewater treatment technology for large swine operations. The intent of this provision is to require superior waste disposal technologies to that described as "Best Available Technology" as accepted by the Utah Department of Environmental Quality in November, 1999.

2. Type ~~III-V~~ swine operation owners must take actions to minimize water/air pollution and public health and safety impacts from confinement and waste treatment facilities. To accomplish this goal and as part of the conditional use permit required by all Type III swine operations, the Type III swine operation may be required to develop and implement a technically sound, economically feasible, and site-specific comprehensive nutrient management plan (CNMP) in accordance with the latest technical guidance of the natural resources conservation service. Type III swine operations may be required to prepare a "Best Management Plan for Odor Control," described in this chapter, as part of the CUP application process. Additionally, all Type ~~III-V~~ swine operations shall obtain a Utah pollutant discharge elimination system (UPDES) general approval for CAFOs (Permit No. UTG080000) when required or requested by the Utah Department of Environmental Quality.

SECTION 7. Within **Section 17.30.040 – Animal operations other than swine**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

17.30.040 - Animal operations (other than swine).

A. Summary Chart for Animal Operations Other Than Swine.

ANIMAL OPERATION TYPE	ANIMAL UNITS (NO SUCKLINGS <6 MONTHS)	CONFINEMENT PERIOD	ZONES A-20/I-A		MIN. SEPARATION DISTANCE SCHEDULE*	REGULATION LEVEL***
			P	P		
Urban	0-10	NA	P	P	NA	A
Type I	11—25	NA	P	P	NA	A
Type II	26—999	NA	P	P	NA	B
Type III	1,000—2,000*	<180 days	C	C	NA	C
Type IV	1,000—2,000*	>180 days	C	C	1	D
Type V	2,000* or more	<90 days	C	C	1	D
Type VI	2,000* or more	>90 days	X	C	2	E

***Regulation Level:

- A Section 17.36.250, <20 acres
- B 20 acre min.

SECTION 8. Within **Section 17.36.290 – Farm Stand**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows (*all other existing content in this section to remain un-amended*):

17.36.290 un-amended)nte

A Farm Stand may be authorized as an administrative land use permit by the zoning administrator in zones established in [HYPERLINK "https://www.ironcounty.com/DocumentCenter/View/12345/Code-Book"](https://www.ironcounty.com/DocumentCenter/View/12345/Code-Book), Table of Uses, and in accordance with the provisions of [HYPERLINK "https://www.ironcounty.com/DocumentCenter/View/12345/Code-Book"](https://www.ironcounty.com/DocumentCenter/View/12345/Code-Book), Administrative Land Use Permits.

Regulations. On receipt of a complete application, the zoning administrator shall grant a permit for a farm stand if the zoning administrator finds that all of the following conditions and requirements are met.

A Farm Stand:

- A. shall not employ more than one individual that does not reside full-time (not less than six months per year) on the property upon which the farm stand is located;
- B. must be compatible with, and incidental and secondary to, the primary use of the property;
- C. must have at least 50% of what is sold or offered for sale to be produced on and by the farm, hobby farm, or urban farm, upon which property the farm stand is located;
- D. as an accessory structure, must retain architecture and outside appearance similar and compatible with the zone in which the farm stand is located;
- E. activity must not result in abnormal levels of noise or vibration, light, odor, dust, smoke, or other air pollution noticeable at or beyond the property line;
- F. shall not exceed 200 square feet of total foot print and must meet the setbacks for accessory structures, if a structure is utilized; and,
- G. may operate seasonally or year-round.

Furthermore, a Farm Stand located in an R-1/2, R-1, R-2, or R-5, zoning district:

- H. may utilize only one motorized vehicle in association with the farm stand and it shall not exceed one ton rated capacity and one trailer which does not exceed twenty feet in length. Adequate off-street parking shall be provided for any business vehicle and/or trailer, and any visiting clientele (minimum of two off-street parking spaces available for

- visiting clientele). Permitted trailers with advertising on them may not be stored or parked on the street or in the front yard of a residential lot where the farm stand is located;
- I. may have signage limited to a non-illuminated identification sign eight square feet or less in size;
 - J. does not produce traffic volumes exceeding that produced typically on the property by more than twenty average daily trips or a maximum of thirty-six trips during any twenty-four-hour period; and
 - K. is allowed only if there is a principle dwelling on the property and is occupied by the owner and proprietor of the farm stand.
 - L. requires that the lot or parcel upon which the farm stand is located, be at least 21,780 square feet (0.50 acres).

SECTION 9. Portions within Section 17.16.030 – Table of Uses and Section 17.20.010 – Definitions, Iron County Code, shall be, and hereby are, identified and amended and read as follows (all other existing content in this section to remain un-amended):

Section 17.20.010 – Use Definitions

"Accessory outside storage" means the outside placement of items which are customary and incidental to the principal use of the property, but excluding the outside storage and placement of flammable and hazardous materials.

"Accessory solar energy systems" include any photovoltaic, concentrated solar thermal, or solar hot water devices that are accessory to, and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.

"Outdoor theater" means a facility for outdoor performances where the audience views the production from automobiles or while seated outside.

"Outside storage of flammable or hazardous materials" means the outside placement of flammable or hazardous materials which are not customary and incidental to the principal use of the property.

"Park and ride facility" means a parking area and transit facility, the purpose of which is to allow the parking of motor vehicles with a connection to mass transit service.

Section 17.16.030 – Table of Uses:

TABLE OF USES											
USES	ZONE DISTRICTS										
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	C	LI	I	IA
Accessory outside storage	P	P	X	X	X	X	X	A	P	P	P
Accessory solar energy system, concentrated solar thermal	C	C	X	C	C	C	C	C	C	C	C
Outdoor recreation	C	C	X	C	C	X	X	C	C	C	C
Outside storage of flammable or hazardous materials	C	X	X	X	X	X	X	C	C	C	C
Park and ride facility	C	X	C	X	X	X	X	P	P	P	C

SECTION 10. General Provision.

Sections of the Iron County Code identified in this ordinance shall be, and hereby are, amended with the express intent of incorporating provisions for "Urban Farming" as provided by Utah Code, to provide clarification for sales of agricultural and horticultural products, and provide for appropriate animal unit numbers in all zoning districts as prescribed herein.

SECTION 10. Severability.


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

SECTION 11. Effective Date.

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

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 12th day of November, 2019.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak, Chair pro tem

ATTEST:


Jonathan T. Whittaker
County Clerk

VOTING:

Alma L. Adams Absent
Michael P. Bleak Aye
Paul Cozzens Aye

RESULTS OF THE SPECIAL BOARD OF EQUALIZATION (BOE) HEARINGS HELD TO CONSIDER ANY OBJECTIONS TO THE PROPOSED ASSESSMENTS FOR THE SUNSET SUBDIVISION ASSESSMENT AREA THAT THE BOARD MAY DEEM UNEQUAL, INEQUITABLE, OR UNJUST

Reed Erickson explained this agenda item was to make the commissioners aware of the issues the BOE heard during the hearings. There was only one appeal brought before the BOE to appeal that his benefits were not equal to the other property benefits. Reed reported that the BOE voted to recommend that Lots 3 and 5 in Block 1 of the Sunset Subdivision Assessment Area be given a half assessment because they did not have an improved road directly in front of their property. These property owners would benefit for parts of the benefits. The BOE agreed that half of the assessment value be given to the two properties from the appeal. The difference would be divided among the other property owners in the subdivision. Reed noted that there was no action required at this time.

ORDINANCE 2019-10, CONFIRMING THE EQUALIZED ASSESSMENT LIST AND LEVYING ASSESSMENT AGAINST CERTAIN PROPERTIES IN THE SUNSET SUBDIVISION ASSESSMENT AREA, SAID LEVY FOR FINANCING CERTAIN IMPROVEMENTS IN THE ASSESSMENT AREA. ALSO ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE AND RELATED MATTERS

Reed explained that this ordinance confirmed and created the equalized assessments. Paul Cozzens made a motion to adopt Ordinance 2019-10 confirming the equalized assessment list and levying an assessment against certain properties in the Sunset Subdivision Assessment Area, said levy for financing certain improvements in the assessment area, also establishing the effective date of the ordinance and related matters. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

****NOTE:** This Ordinance was discussed again and voted on during the November 25th Iron County Commission Meeting to address minor changes to contingency funding. Please refer to the November 25, 2019 minutes for that discussion and a copy of the Ordinance as approved.

DISCUSSION AND POSSIBLE APPROVAL OF A COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN AND FINANCIAL PLAN FOR FY 2020 BETWEEN IRON COUNTY AND THE USDA, FOREST SERVICE, AND THE DIXIE NATIONAL FOREST

Jon Whittaker explained that this was an annual operating agreement with Law Enforcement for patrolling within the Dixie National Forest. The payment for coverage increased from \$3,000 to \$5,000. Paul Cozzens made a motion to approve the Cooperative Law Enforcement annual operating plan and financial plan for FY 2020 between Iron County, USDA, Forest Service, and Dixie National Forest in the amount of \$5,000. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

APPROVAL FOR A "CHRISTMAS ON THE FARM" EVENT HELD AT NATURE HILLS FARMS ON NOVEMBER 7, 9, 14, 16 & 18TH

Michael Bleak explained that the event included Christmas lights, hay rides, and other Christmas related activities. Zoning in R-5 required commission approval for events. Paul Cozzens made a motion to approve the "Christmas on the Farm" event held at Nature Hills Farm, 4326 N 2100 East, Cedar City, on December 7, 9, 14, 16, & 18th. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

PERSONNEL

Lieutenant Del Schlosser explained that the previous approval for "on Call" pay was for the Detectives. This was to include "on call" pay for the Sheriff's Office Crime Scene Technicians Mickelle Croft and Gary Orton, who were missed on the previous request. Paul Cozzens made a motion to approve Mickelle Croft and Gary Orton for "on-call" pay in the Sheriff's Department, effective date of November 3rd. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

Lieutenant Del Schlosser presented the promotion of Stacey Mitchell from Corporal to Sergeant in the Corrections Department, with corresponding pay increase per Iron County Policy, effective November 3rd for approval. This would be a backfill of a vacant position. Lt. Schlosser also presented the promotion of Jason Slack from Deputy III to Corporal in the Corrections Department, with a corresponding pay increase per Iron County Policy for approval. Effective November 3rd, and would be a backfill of a vacant position. Paul Cozzens made a motion to approve the promotion of Stacey Mitchell from Corporal to Sergeant and Jason Slack from Deputy III to Corporal in the Corrections Department with corresponding pay increase per Iron County Policy, effective November 3rd as explained. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

Michael Bleak explained he was sent a request for Interim pay for the HR Assistant, Betsy Cummings, for duties performed in absence of an HR Director. The request was made by Adrion Walker before he left. Betsy was currently earning \$19.27 per hour and the Interim pay would be \$24.89 per hour. Paul Cozzens made a motion to approve the request for Betsy Cummings to receive Interim pay of \$24.89 per hour, for duties performed in absence of an HR Director. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

NON-DELEGATED ITEMS

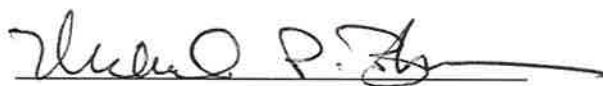
No Non-Delegated Items were discussed.

DISCUSSION AND POSSIBLE APPROVAL OF A UTAH COOPERATIVE WILDFIRE SYSTEM PARTICIPATION COMMITMENT FOR 2020 BETWEEN THE UTAH DIVISION OF FORESTRY, FIRE & STATE LANDS, AND IRON COUNTY

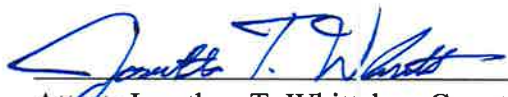
Ryan Riddle, Iron County Fire Chief, explained that there was a financial obligation for Iron County to participate with the State of Utah with Wildfire suppression. Ryan reported that this was discussed at his budget hearing and he added some proposed projects for 2020. Some of those include: Mitigation items: vegetation removal; Prevention objectives: signage, increase awareness of fire restrictions and requirements; and financial obligations to the support staff in prevention and preparedness. Ryan reported that there was three year ongoing funding, which was the Iron County Fire building contribution of \$20,000 beginning 2020 for three years for a total of \$60,000. Paul Cozzens asked why the wages for seasonal firefighters increased so much. Ryan stated that the pay was based on hiring a firefighter with higher qualifications. Paul Cozzens made a motion to approve the Utah Cooperative Wildfire System participation commitment for the year 2020 in the amount of \$156,019, between the Utah Division of Forestry, Fire & State Lands, and Iron County. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye.

ADJOURNMENT

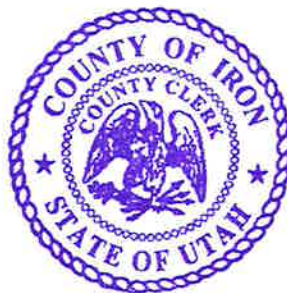
Michael Bleak, Iron County Commission Chair pro tem, declared adjournment.



Signed: Michael P. Bleak, Chair pro tem



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

November 25, 2019

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November, 25 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT 10

APPROVAL OF MINUTES 2

APPROVAL OF 2020 IRON COUNTY COMMISSION MEETING SCHEDULE 4

AWARD OF CRUSHING CONTRACT 7

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PLEDGE OF ALLEGIANCE..... 1

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RESOLUTION 2019-10 ADOPTING THE 2019 MODERATE INCOME HOUSING..... 5

RESOLUTION 2019-11 REPRESENTATIVE AND ALTERNATE FOR UCIP MEETING 6

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Kathy Riggs.

INVOCATION

An invocation was offered by Sheriff Carpenter.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meetings held October 14th, October 28th, and November 12th, 2019. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

DEPARTMENTAL REPORTS

Maria Twitchell, Iron County Executive Director of the Cedar City/Brian Head Tourism Bureau, reported that the Transient Room Tax (TRT) budget was at 73 percent and the Restaurant Tax budget was at 54 percent. The TRT collection was slightly up, Restaurant Tax collections were down slightly, and Occupancies had a small rebound so it was slightly down at -1.5 percent. Maria reported that the TRT would likely increase because of a new law that would require Short Term Rentals to collect tax from their clients. She reported that they were recently awarded three Grants: one from the American Association of Retired Persons (AARP) for improvements to Downtown Cedar City in the amount of \$13,500; a Utah Office of Tourism for winter marketing, which with all partners contributing, equaled \$404,000; and another from Utah Office of Tourism for \$88,000 that would bolster advertising in the off season. The AARP Grant was being completed which included: the National Park mural on 100 West, new benches, and a new sign on Center Street in Cedar City for Historic Downtown. Maria reported that the Tourism Advisory Board recently met and had made their funding recommendations for Co-op Marketing. The Restaurant Tax Board met and made funding recommendations for: Frontier Homestead, Cedar City Corporation, Utah Summer Games, Airport, Brian Head Town, Dixie National Forest, Utah Shakespeare Festival, The Southern Utah Museum of Art, and Parowan City for a total of \$266,188. Other Requests were for: an Off Highway Vehicle (OHV) Grant, International Travel Trade, School Tournaments/Events, Wayfinding, and Vermilion Castle Campground for a total of \$186,000. She noted that the Ice rink was not funded because of findings from the Iron County Attorney's Office. She reported that they produced a "Holiday Map" that was distributed to the hotels and could be downloaded from the website. National media coverage generated from the office included a hit on "Outside Magazine" online with 3.4M views for an article about Cedar Breaks. The Meeting/Conference Space Feasibility Study was still in progress. Maria reported that the Parks and Recreation budget was at 80 percent. She noted that she requested funds in the 2020 budget to fix the Woods Ranch parking lot. The High School Mountain Bike State Championship was held in October with 2,500 riders. Three Peaks had over 5,000 people over the three day event. The extra parking space helped but there were cars parked throughout the area causing some safety issues for law enforcement. The State Championship would return to Cedar City in 2021. Todd Hageman, Cedar City Events Coordinator, was working on a combo Mountain Bike/Motocross event in early May 2020. This would be the first of its kind and should garner nation attention.

Kenneth Carpenter, Iron County Sheriff, reported that the budget was on track. Sheriff Carpenter reported on the Current Law Enforcement Issues since July 2019: Sheriff Case numbers Year to Date (YTD) were 2,977; calls for service YTD 11,776; traffic stops YTD 4,331, 2,355 citations issued which included 2,963 violations; civil process served YTD 2,975; serious child abuse investigations with one female arrested; investigation of Cedar City Police Department Officer Involved Shooting; the continued search for missing 71 year old female Carol Stratton; three rape cases, an increase in storage unit burglaries: arrest of two suspects that were being prosecuted both federally for weapons violations and locally; Search and Rescue/Ropes Team: 2 stranded vehicle rescues off Cedar Mountain as a result of a recent snow storm; search for a missing person; male and female rescue on Kanarra Falls; rescue of an injured; a lost hunter; injured biker; runaway juveniles; and an injured hiker. Volunteers in Police Service (VIPS) program was working well. Sheriff Carpenter reported on the Current Strength of Patrol: currently one Deputy at Peace Officer Standards & Training that would backfill the new traffic deputy; Deputy Sissener went to Adult Probation & Patrol, still down two part-time deputies as court bailiffs. He reported on the New and Ongoing Issues: first and foremost he expressed his appreciation to the Commissioners for their support of his 2020 Budget; he noted that he would appreciate if the commissioners re-examined the addition of a

part-time secretary. He explained that the new federally mandated National Incident-Based Reporting System (NIBRS) requirements were going to be intensive and additional fingerprint money would aid in paying for the position, if not pay for it outright. Alma Adams reported that the commission had re-examined the addition of the part-time secretary and agreed to the hire of a full-time secretary. The last issue was to continue to plan for a new jail. Sheriff Carpenter reported on the Future Ops and Considerations: the Justice Reinvestment Initiative (JRI) was being looked at by Legislative Auditors. He met with Utah Attorney General (AG) Sean Reyes regarding VIRTRA training (a judgmental use of force & de-escalation scenario training simulator); rapid DNA; Human /Child Sex trafficking; Drug interdiction with K9 help, and Citizen Alert (a Reverse 911 system [Everbridge]). He expressed the importance of encouraging everyone to sign up for Citizen Alerts. Sheriff Carpenter stated that he appreciated that AG Sean Reyes supported Southern Utah.

Shalon Shaver, Iron County Corrections Commander, reported that the budget was at 90 percent. There was one unexpected expense: there was \$3,000 spent to buy “iEvac Smoke Hood/Fire Escape Masks” to replace the Self-Contained Breathing Apparatus’ (SCBA’s). These were needed to keep up with the current standards, reduce liability, and reduce costs in the long run. The masks would be good for five years. Lieutenant Shaver reported that total Bookings were at 372. There were 29 Federal Inmates, 10 State Inmates, 1 inmate from another county for a total of 134 inmates. Total Inmates transported was listed at 381. She reported that the number was misleading and she would recheck it as it should be much higher. Some of the projects that the Work Crew had been working on were: projects for the Road Department: Cedar City off-ramps, Road Shed yard, Hwy 91, Vandenberg Road, Dump Road; Paragonah fencing; Parowan City; Animal Shelter; Fair; the Iron County Shooting Range, Work for Parks & Recreation; and Woods Ranch and Three Peaks. Alma Adams expressed that he appreciated all the work the work crew does. Paul Cozzens noted that he had been out to the shooting range and it was looking well. Lieutenant Shavor reported that the staff numbers were critical as they were down 4 deputies due to one resignation, one moving to patrol and promotions. She explained that when one of the staff leaves it takes at least a year to replace them due to training requirements.

Kathy Riggs, Utah State University (USU) Extension, Interim County Director, reported that the Irrigation Research & Cedar Mountain Initiative continued to receive funding from Utah State Legislature grants totaling \$168,600. They received sponsorships for two water conservation research programs from the Foundation for Food & Agriculture Young Innovator Award in the amount of \$600,000. The other was from the USU Extension Water Initiative Grant in the amount of \$70,823. The goal for the research was to develop new water conservation methods and to encourage sustainable use of this precious natural resource. She reported that the 3rd Grade Farm Field Day was presented to over 900 Iron County youth and entailed more than 100 volunteers and teachers. The Iron County Extension Master Gardener program was in its 10th year. In 2019, the volunteers had donated over 700 hours back to USU Extension. The volunteers were heavily involved in the 4th Grade Water Fair which teaches the importance of water. Angela Hackwell, Iron County 4-H Coordinator, reported that USU hired a 4-H Program Assistant Coordinator, Mike Isom, to assist with the growth of youth members and volunteers and investigating funding for the local 4-H programs. The Embryology Program, watching chicks hatch in the classroom, alone had grown to 65 classrooms this past year. Over 1,600 youth participated in the Iron County School District and had it had presented to more than 20,000 youth since the program began in 2000. Angela reported that the 4-H Teen Council had partnered with the Iron County Prevention Coalition and Iron County Teens Against Drugs. They were forming a partnership with SUU Outdoor Education & the SUU Mountain Center. The Intergenerational Poverty Grant was extended through December 2019. Kathy reported that the 4-H Afterschool program was newly opened to Grades 6-8. Iron County was the Pilot Project and the 4-H Afterschool Program received \$67,000 for the Middle School programs. At least 50 percent of the participants identified as low-income with roughly 4percent Intergenerational Poverty youth. The Create Better Health Program was building partnerships with the Downtown Farmer’s market to help promote their services to the lower income community. They were in 3 Elementary Schools teaching nutrition classes to the students. Kathy Riggs expressed her

appreciation to the Iron County Commission for their support stating they couldn't do much without the support. She also said that she appreciated Dan Jessen helping to find funding for a new vehicle. Alma Adams stated that he appreciated all the USU Extension does for the youth of Iron County.

Curtis Crawford, Iron County Council on Aging Director, reported that both centers were doing well and attendance continued to improve. Statics for the month of October 2019 included: 15 Employees, 75 Volunteers, with 571 hours of service which equaled to a \$14,200.77 value received. Interaction service to seniors in the county included: 292 phone visits, 592 one on one visits, 417 outreach, information and other services rendered, 871 transportation units (bus rides), 841 meals served at the centers, and 1,593 home delivered meals served. Curtis reported that the budget was on track and by the end of the year the COA would be under budget. The food budget had been the greatest concern. More meals were being provided at both centers and Meal on Wheels was causing an increase in budget cost. He noted that they had discontinued the special holiday and big event meals, with the exception of Thanksgiving and Christmas. Curtis reported that he continued to work on the Community Development Block Grant through the State of Utah to make an addition to the Cedar City building which was reaching its capacity. The requested amount would be \$200,000. The application was due January 31, 2020. They just started a new Line Dancing Class which was becoming very popular.

PUBLIC HEARING ON THE FINAL PROPOSED IRON COUNTY 2020 BUDGET

Alma Adams, Iron County Commission Chair, declared a public hearing regarding the Final Proposed Iron County 2020 Budget open. Dan Jessen, Iron County Auditor, reported that there were no new bonds or tax increases. There was one bond for the special assessment area which would technically be in the end of the 2019 budget but could be added to the 2020 Budget. The assessment area bonds were specific to the Sunset Subdivision. Dan reported on some of the highlights from the Iron County 2020 Budget: A solar project and signage improvements at the Tourism building, partial build-out of the Public Safety Building basement for IT offices at approximately \$100K; Finishing the new road shed with proceeds from the sale of Fiddlers Building of approximately \$1M, Finishing the Parowan Canyon bridges with \$700K grant money from Forest Service, Installing a new camera system for the Sheriff's Department in-vehicle and body cameras with a payment of \$250K over 5 years; Considering options for a new Iron County Jail, feasibility studies of new construction and remodel options, starting to set aside money in capital improvements at end of year towards the project. Dan noted that the Iron County Jail was the oldest in the State of Utah; and a new Fleet Plan which would be a mid-year budget adjustment. He reported that 2020 looked to be a good year for Iron County as the Iron County Government was financially strong, healthy and well managed. Dan explained changes to the Tentative Budget that were now in the Final Budget such as: salaries and benefits adjustments updated, updated some grant specific line items; 2020 estimated portion of Parowan Canyon bridge project added; very minor adjustments consistent with what was approved in the budget hearings. No public comments offered. Alma Adams declared the public hearing closed.

PUBLIC COMMENTS

No public comments offered.

DISCUSSION AND POSSIBLE APPROVAL OF THE 2020 IRON COUNTY COMMISSION MEETING SCHEDULE

Alma Adams explained that the Iron County Commission meetings were held on the 2nd and 4th Mondays. The lone exception in the 2020 Meeting Schedule would be Tuesday, May 26 because of Memorial Day. The November 9, 2020 meeting would be when the Iron County 2021 Tentative Budget would be presented, the 2021 Budget Hearing would be presented during the November 23rd meeting, approval of the 2021 Final Budget was slated for the December 14th meeting. Paul Cozzens made a motion to approve the 2020 Iron County Commission Meeting Schedule. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

RESOLUTION 2019-10 A RESOLUTION ADOPTING THE 2019 IRON COUNTY MODERATE INCOME HOUSING PLAN

Reed Erickson, Iron County Interim Building & Zoning Administrator, explained that this resolution was a result of SB34 that was passed the previous year in the Legislature. SB34 required counties of a third class with a population over 5,000 in the unincorporated areas, to have a Moderate Income Housing plan adopted by December 1, 2019. If the plan was not in place the county would not be eligible for certain funding. Reed reported that there was a plan drafted in 2017 but was not adopted because of continued modifications by the Legislature. The new Moderate Income Housing Plan followed the SB34 regulations. Michael Bleak made a motion to approve Resolution 2019-10 adopting the 2019 Iron County Moderate Income Housing Plan. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY RESOLUTION 2019-10

A RESOLUTION ADOPTING THE 2019 IRON COUNTY MODERATE INCOME HOUSING PLAN.

Whereas, "housing affordability" means the ability of a household to occupy a housing unit while paying no more than 30% of the household's income for gross housing costs, including utilities; and

Whereas, "affordable housing" refers to housing affordability for residents who earn less than the area's median income and describes the availability of affordable housing units targeted for low-, very low-, and extremely low-income groups; and

Whereas, accommodating a significant portion of Iron County's population growth in proximity to employment opportunities allows people to live closer to work, reduce driving, reduce air pollution, reduce household transportation costs, decrease infrastructure costs, and maintain and improve the quality of life for Iron County's residents; and

Whereas, counties and cities that adopt measures encouraging and supporting housing affordability will improve overall prosperity, as well as reduce housing and transportation costs, not only for their cities or counties, but for the region and state; and

Whereas, the Iron County Commission has determined that the adoption of a Moderate Income Housing Plan is necessary to comply with Utah State Statute 17-27a-403; and

Whereas, the State Legislature of Utah has determined that counties must facilitate a reasonable opportunity for a variety of housing, including moderate income housing, enabling people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life; and

Whereas, the State Legislature of Utah has determined that counties must prepare a Moderate Income Housing Plan analyzing how the county will provide a realistic opportunity for the development of moderate income housing over the next five years; and

Whereas, the Iron County Commission finds that the adoption of the 2019 Moderate Income Housing Plan is in the public interest.

Now Therefore, it is hereby resolved by the board of County Commissioners of Iron County, State of Utah, that it is their intent to adopt the 2019 Iron County Moderate Income Housing Plan as attached in "Exhibit A"

Passed and Adopted by the board of County Commissioners of Iron County, Utah this 25th day of November, 2019.

By: 
Alma L. Adams, Chair

ATTEST:


Jonathan T. Whittaker, County Clerk



RESOLUTION 2019-11 APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL (UCIP) ANNUAL MEMBERSHIP MEETING

Jon Whittaker explained that typically the County Clerk was the UCIP Representative and the Human Resource (HR) Director was assigned as the Alternate Representative. Paul Cozzens made a motion to approve Resolution 2019-11, appointing Jonathan Whittaker as the Iron County Representative and Betsy Cummings as the Alternate Representative for the UCIP Annual Membership meeting. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

IRON COUNTY RESOLUTION 2019-11

A RESOLUTION OF THE IRON COUNTY COMMISSION APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL ANNUAL MEMBERSHIP MEETING.

Whereas, the Governing Body of Iron County, Utah, is the proper authority to appoint a qualified person to act as the official representative for Iron County at the Utah Counties Indemnity Pool Membership Meeting to be held on December 5, 2019; and

Whereas, the Governing Body of Iron County, Utah, has been informed that the By-laws of the Utah Counties Indemnity Pool require that the official representative and an alternate representative for Iron County must be an elected or appointed officer or employee of a Member and must be appointed by majority vote of the Governing Body of the Member to be the Member's official representative for the purposes of the Pool.

Now, Therefore, be it hereby resolved that the Governing Body of Iron County, Utah, hereby appoints Jonathan T. Whittaker as the official Iron County Representative for the Utah Counties Indemnity Pool Membership Meeting to be held on December 5, 2019, with Betsy Cummings as an alternative representative.

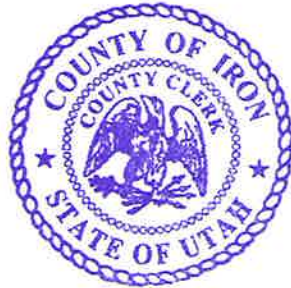
RESOLVED, ADOPTED, AND ORDERED this 25th day of November, 2019.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Alma L. Adams - Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



Alma L. Adams _ Aye _
Michael P. Bleak _ Aye _
Paul Cozzens _ Aye _

DISCUSSION AND POSSIBLE APPROVAL OF THE CONTRACT AWARD FOR CRUSHING UNTREATED BASE COURSE AGGREGATE AT THE QUICHAPA CANYON SITE TO QUALITY CRUSHING

Steve Platt, Iron County Engineer, reported that Quality Crushing was the lowest bidder at \$5.60 per cubic yard. Michael Bleak made a motion to award the Crushing Untreated Base Course Aggregate at the Quichapa Canyon site contract to Quality Crushing at \$5.60 per cubic yard. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

ORDINANCE 2019-10, CONFIRMING THE EQUALIZED ASSESSMENT LIST AND LEVYING AN ASSESSMENT AGAINST CERTAIN PROPERTIES IN THE IRON COUNTY, UTAH SUNSET SUBDIVISION ASSESSMENT AREA. SAID LEVY FOR FINANCING CERTAIN IMPROVEMENTS IN THE ASSESSMENT AREA, ALSO ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE AND RELATED MATTER. NOTE: THIS ITEM WAS BEING DISCUSSED FOR MINOR REVISIONS AFTER BEING APPROVED DURING THE NOVEMBER 12TH COMMISSION MEETING

Reed Erickson reported that he had received a call from the Bond Council stating that they realized they had omitted a reference to statutes that allowed for a Reserve Fund and how it could be funded. They requested the item be placed on the Iron County Commission Agenda as soon as possible. Reed explained that approving the Ordinance would keep Iron County from delaying the bond process. This would not affect the 60 day waiting period. Paul Cozzens made a motion to approve Ordinance 2019-10 confirming the equalized assessment list and levying an assessment against certain properties in the Iron County, Utah Sunset Subdivision Assessment Area. Said Levy for financing certain improvements in the Assessment Area, also establishing the effective date of the Ordinance and related matter. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

AMENDMENT TO ORDINANCE 2019-10

BE IT ORDAINED BY THE COUNTY COMMISSION OF IRON COUNTY, UTAH,
AS FOLLOWS:

AMENDMENT TO ORDINANCE SECTION 10 OF THE ORDINANCE IS
HEREBY AMENDED AND RESTATED AS FOLLOWS:

Section 10. Reserve Fund. (a) The County does hereby establish a reserve fund (the "Reserve Fund") in lieu of funding a special improvement guaranty fund, as additional security for the Assessment Bonds.

(b) The Reserve Fund shall be initially funded from County funds. As such, the cost of initially funding the Reserve Fund is not included in the Assessments of the property in the Assessment Area. Unless otherwise provided in the Indenture, the moneys on deposit in the Reserve Fund, if any, shall, upon the final payment of the Assessment Bonds, be returned to the County. The adjustment, if any, of the Reserve Requirement will be governed by the provisions of the Indenture.

(c) In the event insufficient Assessments are collected by the County to make the debt service payments on the Assessment Bonds, the County shall draw on the Reserve Fund to make up such deficiency.

(d) Amounts recovered by exercise of any of the remedies provided herein or otherwise from delinquent Assessments (and not needed to pay amounts coming due on the Assessment Bonds) shall be used to replenish amounts drawn from the Reserve Fund.

(e) In the event the amount on deposit in the Reserve Fund is less than the Reserve Requirement, adjusted from time to time, the County shall replenish the Reserve Fund as provided in the documents related to the issuance of Bonds, including by any of the methods provided in Sections 11-42-701 and 702 of the Act. Any amounts advanced by the County as

provided above for the replenishment of the Reserve Fund may be reimbursed, with interest at a rate of 12% per annum, from moneys received from foreclosure or otherwise from delinquent properties.

(f) In the event the Assessment Bonds are refunded, the Reserve Requirement may be adjusted by the County and amounts in the Reserve Fund may be applied to assist in such refunding. Any refunding of the Assessment Bonds shall not increase the total cost of the Assessments in any one year.

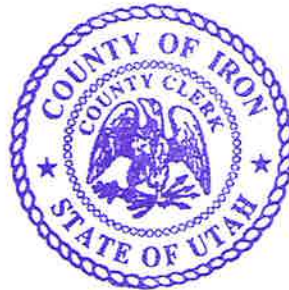
PASSED AND APPROVED by the County Commission of Iron County, Utah, this November 25, 2019.

(SEAL)

By: 
Alma L. Adams, Chair

ATTEST:

By: 
Jonathan T. Whittaker, County Clerk



Voting:

Alma L. Adams Aye
Michael P. Bleak Aye
Paul Cozzens Aye

PERSONNEL

Betsy Cummings, Iron County Human Resource (HR) Interim Director, presented the rehire of Shawn Coston for Part-time employment as a Corrections Deputy, effective November 25th, on a trial basis, with a \$21 per hour wage. This was a backfill of a vacant position. Betsy Cummings presented the rehire of James Meccia for Part-time employment as a Corrections Deputy, effective November 25th, on a trial basis, with a \$21 per hour wage. This was a backfill of a vacant position. Michael Blake made a motion to approve the rehire of Shawn Coston and James Meccia as Part-time Corrections Officers in Corrections, effective date of November 25th, salary at \$21 per hour, until vacancies could be filled. Second by Paul Cozzens. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, Aye.

Betsy Cummings presented a salary increase of 5 percent for Adele Lloyd, in the Records Office, as she had completed her Cadastral Mapper Certification, effective November 17th. Betsy Cummings presented a pay increase from \$17.50 to \$18.02 for Victim Advocate Coordinator Brionna Garrett, in the Sheriff Department, effective November 17th. Grant funding had been received to cover the cost of the increase. Betsy presented a pay increase from \$15 to \$15.45 per hour for Victim Advocate, Elizabeth Soriano, in the Sheriff's Department, effective November 17th. Grant funding had been received to cover the cost of the increase. Betsy explained that the salary increase for Victim Advocate, Wendy Jessen would be effective in 2020 and did not need action at this time. Paul Cozzens made a motion to approve the salary increases as explained. Second by Michael Bleak. Voting: Alma Adams, Aye; Michael Bleak, Aye, Paul Cozzens, Aye.

NON-DELEGATED ITEMS

No Non-Delegated were discussed.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
DECEMBER 9, 2019**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. December 9, 2019 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Michael P. Bleak	Commissioner
Paul Cozzens	Commissioner - excused
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Cindy Bulloch	County Assessor
Dan Jessen	County Auditor
Carri Jeffries	County Recorder
Nicole Rosenberg	County Treasurer
Betsy Cummings	County HR Interim Director

SYNOPSIS

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Preston Nelson.

INVOCATION

An invocation was offered by Bruce Anderson.

Commissioner Adams excused Commissioner Cozzens as he was traveling.

DEPARTMENTAL REPORTS

Brionna Garrett, Iron County Victim Advocate Coordinator, reported during the last grant cycle they were able to serve 376 victims; 73 were domestic violence victims, 57 had some type of vehicular victimization, 39 were burglary victims, 59 were physical assault victims, 29 were sexual assault victims and 21 were theft victims. Brionna reported on the current grant cycle that: Wendy Jessen was a newly hired Victim Advocate who worked with the Cedar City Police; they were able to serve 571 victims, and 487 of those were new cases. New cases: there were 104 domestic violence victims, 39 vehicular victimization, 67 burglary victims, 62 physical assault victims, 21 sexual assault victims, and 107 theft victims. Wendy reported that the current audit went well but the funding would decrease. Michael Bleak stated how appreciative he was for the Victim Advocates and how much they were able to fill gaps in different scenarios.

Reed Erickson, Iron County Building & Zoning Interim Administrator reported that building permits were down slightly from 413 in 2018 to 399 in 2019. Valuation was up from \$35M in 2018 to \$112M. The Cove Mountain Solar Farms were moving forward with Phase I and Phase II. Construction was up except in Single Family Dwellings which was down from 151 in 2018 to 177 in 2019. The Planning Commission discussed the goals and strategies of Iron County for the Moderate Income Housing Plan at its December 5th meeting. Proposals were received regarding an analysis of Impact Fees for sewer connections that was ongoing. The "Vision 2050" planning process was moving forward and the survey information had been submitted. The Area Sector Analysis Process (ASAP) would gather information then match companies/industries with the community that would fit both needs. Reed reported that the remodel of the Building Department breakroom and filing system was almost complete. He stated that he appreciated all that Lester Ross does to oversee the projects. The deadline for the bonding of the Sunset Subdivision Assessment Area was on December 5th. State Bank of Southern Utah was the low bid. The bid included 2 options the interest rate for a 15 year at 2.7% or 3% for a 20 year bond. Reed explained that the original application was for set for 20 years. Matt Dugdale from the financial services company, Stifel, was assisting with the Special Assessment process. The commissioners would need to decide whether to go with the 15 year or 20 year financing for the Sunset Special Assessment Area.

Steve Platt, Iron County Engineer, reported that the budget was on track. Steve reported that the construction of the Left and Second Left Hand Canyon bridges in Parowan canyon were nearing completion. The bridges were scheduled to be set on December 17th and 18th. Curtis DeMille continued to haul rip rap from the landfill to make the 25 percent In Kind match with the Emergency Watershed Protection (EWP) funding for Paragonah. The Parowan EWP and Flood Prevention Operations Project had to move from an Environmental Assessment (EA) to an Environmental Impact Statement (EIS). The EIS study went deeper and as a result it would be two years before construction would begin. Steve reported that they were looking for a new material source on the Bench Road from the Bureau of Land Management (BLM). It would ease the Newcastle crushing for Hart Road. The Quichapa recharge/material source crushing project would begin soon.

Preston Nelson, Iron County Roads Supervisor, reported that the budget was on track. Preston reported on the current projects of the Road Department: Vandenberg Road, hauling cinders from the Summit pit to the Road Shed yard on Bulldog Road and beginning work on Heart Road. Some of the future projects were: crushing gravel for 130 yards in the Vandenberg pit; finish placing approximately 1300 feet of gravel on 7700 west; place gravel on 2 miles of Vandenberg Road; build 1-2 miles of subgrade on Heart Road; build more subgrade on Vandenberg Road and get bids for chipping oils, chips and asphalt.

Bruce Anderson, Iron County Landfill Supervisor, reported that the budget was on track. The Grid report was up to date as of December 8th. Tonnage had continued to increase each year as a result of population growth. The tonnage was at approximately 5,000 tons. Wood grinding was completed in Cedar City and Parowan and yielded very high quality mulch thus far. The workers continued to fight the mud during the winter months. Equipment was working well and the new compactor was doing a great job. He reported that the Department of Environmental Quality year-end report was completed.

David Blodgett, Director of Southwest Utah Public Health Department, reported that the budget was on track. The final budget approval for 2020 was set for the December 11th Board of Health meeting. The Cedar City office currently had 12 employees in the office. While the office continued to do more with less, the current environment was challenging. David reported that the “Health Magazine” distribution continued to be a success. It was used to deliver messages about the role of the health department in the community and to empower citizens to live a little healthier. The magazine just won a “Best of State” award for the third year in a row. Emerging and re-emerging infectious diseases would continue to draw the attention of the public and the department. Measles grabbed national headlines with the largest outbreak in a decade among the unvaccinated population. There was a record year of cases of Valley Fever. Iron County had seen an increase of Whooping cough, and one Mumps case. He reported that new legislation this year would focus on vaping and e-cigarettes. Nationwide there had been 50 deaths, with 1 in Utah, related to e-cigarettes. The Health Department would likely be charged with enforcing laws that would limit what types of products could be sold from various types of stores, as well as increasing efforts to help people quit vaping. David reported that the defining health issues of the generation would be diabetes and medical marijuana. He explained that they were pioneering new programming for diabetes education, prevention and management. Diabetes remained one of the major health threats to the long term health of Iron County. Roughly 10 percent of the nation was diabetic. The average diabetic added \$500K to their lifetime medical expenditures. Whether the individual components of marijuana could be helpful was being studied. It was difficult to imagine a society where 50 percent of its young people don’t show up to life because they were smoking marijuana.

PUBLIC HEARING REGARDING AMENDMENTS TO THE IRON COUNTY 2019 BUDGET

Alma Adams, Iron County Commission Chair, declared a public hearing regarding amendments to the Iron County 2019 budget open. Dan Jessen, Iron County Auditor, briefly explained the amendments made to the Iron County 2019 budget noting that there was nothing controversial with the amendments. Jon Whittaker stated that there was great use of funds from the sale of the Fiddlers Building to fund the new Road Building. Alma Adams declared the public hearing closed.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held November 25, 2019. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, absent.

PUBLIC COMMENTS

Cindy Bulloch, Iron County Assessor, stated that she would like to address an article regarding the Assessor in Wasatch County who made a \$1B error on a property. Cindy assured the Iron County Commissioners that her office worked closely with the Iron County Auditor and her department was on top of things regarding the residents of Iron County. She requested that if any staff received calls from tax payers to please assure them that methods were in place to prevent this from happening in Iron County.

RESOLUTION 2019-12 ADOPTING THE IRON COUNTY 2019 BUDGET AMENDMENTS

Michael Bleak made a motion to approve Resolution 2019-12 adopting the Iron County 2019 Budget amendments as described by Dan Jessen. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, absent.

IRON COUNTY RESOLUTION 2019-12

A RESOLUTION OF THE IRON COUNTY COMMISSION AUTHORIZING ADJUSTMENTS TO THE 2019 DEPARTMENTAL BUDGETS.

Whereas, Iron County Departments have requested adjustments to their budgets for 2019 to cover expenses incurred over time, increases in under budgeted areas, purchases of unbudgeted but approved equipment, and

Whereas, adjustments must be made to authorize unexpected or approved expenditures above those appropriated in the original budget,

Now Therefore, be it hereby resolved by the Board of Iron County Commissioners that the 2019 budget of Iron County is hereby amended to reflect changes in the adopted and approved 2019 budget to actual expenditures as calculated and filed in the Iron County Auditor's Office.

RESOLVED, ADOPTED, AND ORDERED this 9th day of December, 2019.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____

Alma L. Adams - Chairman

ATTEST:



Jonathan T. Whittaker – Iron County Clerk

Alma L. Adams	<u> Aye </u>
Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Absent </u>

RESOLUTION 2019-13 APPROVAL OF THE IRON COUNTY 2020 FINAL BUDGET

Dan Jessen explained the budget was presented during the last commission meeting and no changes had been made. He stated that he would post the budget where required. Once it was approved by the commission, a more detailed copy would be sent to the State of Utah. Lieutenant Schlosser, Iron County Sheriff's Office, explained that he attended a meeting the previous week with the Criminal Bureau of Investigations (CBI). They were informed that HB78 stated that the Sheriff's Office was now responsible to enter all felony warrants within the Sheriff's Office jurisdiction and validate them through the National Crime Investigations Center (NCIC). He reported that this was going to be an extensive undertaking for the Sheriff's Department. The CBI would be conducting a "batch entry" taking the basic information from the courts and the local jurisdictions would be entering the rest of the information. Cindy Bulloch stated that SB13, an Income Tax Budget item, was passed last year. The bill required the Assessors of every county, unless there was already an ordinance in place, to notify and request applications from everyone whose situs address did not match their mailing address. That would include all Post Office Boxes in Iron County and those with out of state addresses. The results of SB13 might require an amendment to the budget later in 2020. Michael Bleak made a motion to approve Resolution 2019-13 to adopt the Iron County 2020 final budget. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, absent.

IRON COUNTY RESOLUTION 2019-13

A RESOLUTION OF THE IRON COUNTY COMMISSION ADOPTING AND APPROVING THE 2020 BUDGET.

Whereas, Iron County is required by UCA §17-36-15 to adopt a budget on or before the last day of each fiscal period, the governing body by resolution shall adopt the budget which, subject to further amendment, shall thereafter be in effect for the next fiscal period. A copy of the final budget, and of any subsequent amendment thereof, shall be certified by the budget officer and filed with the state auditor not later than 30 days after its adoption. A copy, similarly certified, shall be filed in the office of the budget officer for inspection by the public during business hours; and

Whereas, a tentative budget has been adopted and has been made available for inspection at the office of the County Auditor for at least ten (10) days prior to the public hearing; and

Whereas, December 9, 2019 at the hour of 10:00 a.m. in Commission Chambers at the Iron County Courthouse 68 South 100 East, was the time and place of a public hearing where all interested persons had an opportunity to be heard for or against the estimates of revenue and expenditures and performance data on any item in any fund; and

Whereas, notice of the public hearing was been published at least seven days before the hearing in one newspaper, Daily Spectrum, a newspaper of general circulation within the County;

Now Therefore, be it hereby resolved by the Board of Iron County Commissioners that the budget as presented and filed in the Iron County Auditor's Office is hereby adopted for calendar year 2020.4

RESOLVED, ADOPTED, AND ORDERED this 9th day of December, 2019.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Alma L. Adams - Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk

Alma L. Adams	<u> Aye </u>
Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Absent </u>



RESOLUTION 2019-14 AUTHORIZING THE ISSUANCE AND SALE OF \$5,430,000 REVENUE BONDS OF IRON COUNTY UNDER THE UTAH INDUSTRIAL FACILITIES DEVELOPMENT ACT FOR THE BENEFITS OF THE DIXIE AND ANNE LEAVITT FAMILY FOUNDATION, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST, A LOAN AGREEMENT AND OTHER DOCUMENTS NECESSARY FOR THE ISSUANCE OF THE BONDS AND PROVIDING FOR RELATED MATTERS

Alan Jones, Trustee of the Leavitt Foundation, explained that the request was related to a resolution that was adopted during the October 14th Iron County Commission meeting, and the public hearing that was held on November 12th. Alan reported that Resolution 2019-14 authorized the issuance and sale of \$5,430,000 in Revenue Bonds of Iron County under the Industrial Facilities Development Act for the benefit of the Dixie and Ann Leavitt Family Foundation. Under the Act, the bonds were not considered a debt of Iron County and were secured solely by the loan payments made by the Dixie and Ann Leavitt Family Foundation. Michael Bleak made a motion to approve Resolution 2019-14 as presented by Alan Jones. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, absent.

IRON COUNTY RESOLUTION 2019-14

A RESOLUTION PROVIDING FOR THE ISSUANCE BY IRON COUNTY, UTAH OF ITS FACILITIES REVENUE BONDS (THE DIXIE AND ANNE LEAVITT FOUNDATION) IN AN AGGREGATE PRINCIPAL AMOUNT OF \$5,430,000, WHICH WILL BE PAYABLE SOLELY FROM THE REVENUES PLEDGED THEREFOR UNDER AN INDENTURE OF TRUST; AUTHORIZING THE EXECUTION AND DELIVERY BY THE COUNTY OF AN INDENTURE OF TRUST, A LOAN AGREEMENT WITH THE DIXIE AND ANNE LEAVITT FOUNDATION, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (together, the “*Act*”), Iron City, Utah (the “*County*”) is authorized to issue revenue bonds to finance “*projects*” consisting of facilities suitable for business purposes or suitable to provide services to the general public;

WHEREAS, The Dixie and Anne Leavitt Family Foundation, a Utah nonprofit corporation and a private foundation (the “*Borrower*”), has requested that the County issue its Facilities Revenue Bonds (The Dixie and Anne Leavitt Family Foundation Project), Series 2019, in an aggregate principal amount of \$5,430,000 (the “*Bonds*”) for the purpose of (i) financing the costs of acquiring, constructing, improving and furnishing a new student residence hall to be located at 258 South 450 West Street in Cedar City, Utah (the “*Project*”) and (ii) paying costs of issuance of the Bonds;

WHEREAS, the County has determined that the public interest will be best served and that the purposes of the Act can be achieved by the issuance of the Bonds for the foregoing purposes;

WHEREAS, the substantially final forms of an Indenture of Trust, attached hereto as *Exhibit A* (the “*Indenture*”), and a Loan Agreement, attached hereto as *Exhibit B* (the “*Loan Agreement*”), relating to the Bonds have been prepared and presented to the Board of Commissioners (the “*Board*”) in connection with the adoption of this Resolution;

WHEREAS, pursuant to the Loan Agreement, the Borrower will promise to pay amounts sufficient to pay, when due, the principal of, premium, if any, and interest on the Bonds, all in accordance with the requirements of the Act;

WHEREAS, the Board deems it necessary and advisable to authorize the issuance and sale of the Bonds and to authorize the execution and delivery of the Loan Agreement, the Indenture, and other related documents required for the sale of the Bonds;

WHEREAS, after published notice, a public hearing was held at which any interested party had an opportunity to comment upon the proposed issuance of the Bonds or any other matter relating to the Project;

WHEREAS, the Act and the documents to be signed by the County provide that the Bonds shall not constitute nor give rise to a general obligation or liability of the County or the State of Utah or be a charge against its general credit, and that the Bonds will be payable from and secured solely by the revenues arising from the pledge and assignment under the Indenture of the Loan Agreement to Zions Bancorporation, National Association, as trustee under the Indenture (the "*Trustee*") and other collateral provided by the Borrower, including a mortgage on the Project from the Borrower to the Purchaser (defined below);

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

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. Capitalized terms used but not defined herein have the meanings assigned to such terms in the Indenture.

Section 2. The County is authorized to issue the Bonds for the purpose of lending the proceeds thereof to the Borrower to finance the costs of the Project, provide for necessary reserves, and pay costs of issuance of the Bonds, all pursuant to the provisions of the Act. All action heretofore taken by the County in connection with the issuance of the Bonds is hereby ratified, approved and confirmed.

Section 3. The County is authorized and directed to issue the Bonds as fully-registered bonds, in an aggregate principal amount of \$5,430,000. The Bonds shall bear interest at a rate not to exceed 10.0% per annum, to be determined on or about the date of delivery of the Bonds, and will mature in not more than 31 years. The form, terms and provisions of the Bonds shall be as set forth in the Indenture. The Chairman of the Board (the "*Chairman*") and County Clerk are hereby authorized and directed to execute the Bonds and to deliver the Bonds to the Trustee for authentication.

Section 4. The Bonds are to be issued in accordance with and pursuant to, and the Chairman and County Clerk are authorized and directed to execute and deliver, the Indenture and the Loan Agreement, in substantially the same forms presented to the Board at the meeting at which this resolution was adopted. The Indenture provides for the issuance of the Bonds solely for the purposes described in Section 2 hereof. The Bonds shall not constitute nor give rise to a general obligation or liability of the County or the State of Utah or a charge against the general credit of the County or the general credit or taxing power of the State of Utah. Recourse on the Bonds executed and delivered by authorized officers of the County pursuant to the Indenture may be had only against the security for the Bonds as provided therein and in the Indenture.

Section 5. The Project to be financed with proceeds of the Bonds consists of the acquisition, construction, improvement and furnishing of a new student residence hall to be located at 258 South 450 West Street in Cedar City, Utah.

Section 6. The Indenture and Loan Agreement, in substantially the forms presented to the Board at this meeting, with such changes as are authorized by Section 8 hereof, are hereby approved in all respects, and the Chairman and County Clerk are hereby authorized to execute each of the same on behalf of the County, and the acts of the Chairman and County Clerk in so doing are and shall be the act and deed of the County. The Chairman and County Clerk and all other proper officers and employees of the County are hereby authorized and directed to take all steps on behalf of the County to perform and discharge the obligations of the County under each of said instruments.

Section 7. The sale of the Bonds to Zions Bancorporation (or its designee) (the "*Purchaser*"), at a price equal to the principal amount of the Bonds, is hereby authorized, approved and confirmed.

Section 8. The Chairman is hereby authorized to make any alterations, changes or additions in the Indenture, the Loan Agreement and the Bonds herein authorized which may be necessary to correct any errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the agreement of the Borrower and the Purchaser, to the provisions of this resolution, or any other resolution adopted by the County, or the provisions of the laws of the State of Utah or the United States, as long as the rights of the County are not materially adversely affected thereby.

Section 9. It is hereby declared that all parts of this resolution are severable and that if any section, paragraph, clause or provision of this resolution shall, for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this resolution.

Section 10. The Chairman and County Clerk of the County are hereby authorized to execute all documents and take such action as they may deem necessary or advisable in order to carry out and perform the purpose of this resolution, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability. All action heretofore taken by the County, its officers and employees, with respect to the issuance and sale of the Bonds is hereby ratified and confirmed.

Section 11. All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

Section 12. After any of the Bonds are issued, this resolution shall be and remain irrevocable until the Bonds and the interest thereon shall have been fully paid, cancelled and discharged.

Section 13. This resolution shall take effect immediately upon its approval and adoption.

ADOPTED AND APPROVED this day, December 9, 2019.

IRON COUNTY, UTAH

By 
Alma L. Adams, Commission Chair

[SEAL]

ATTEST:

By 
Jonathan T. Whittaker, Iron County Clerk



Alma L. Adams	<u> Aye </u>
Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Absent </u>

APPROVE PUBLIC DEFENDER CONTRACTS WITH THE NEW RATES FOR 2020

Alma Adams explained that during the budget sessions the Public Defenders were approved for salary increases. The contracts would reflect the increases for the Public Defenders up for renewal. Candace Reid and The Park Firm contracts for Juvenile Court were for 1 year, and Jeff Slack and Troy Sundquist, Adult Court, contracts were for 2 years. The salaries would be increased to \$85K in year 2020. Michael Bleak made a motion to approve the Public Defender Contract with the new rate of \$85K for Candace Reid, The Park Firm, Jeff Slack and Troy Sundquist. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, absent.

CONVENE AS THE BOARD OF EQUALIZATION

Alma Adams, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the Board of Equalization (BOE).

REVIEW AND APPROVE LOW INCOME AND HOMEOWNERS TAX CREDIT ABATEMENT APPLICATIONS AND VETERAN'S ABATEMENT APPLICATIONS WHICH WERE RECEIVED BETWEEN OCTOBER 14TH AND DECEMBER 2ND

Christene Lowder, Iron County Deputy Auditor, explained that these were applications submitted after October 14th. There were a few adjustments due to an increase based on the amount they were awarded. Christene reported that \$197,768 would be refunded to Iron County from the portion of the circuit breaker. Veterans could still apply for the abatement as it never closed for them. Michael Bleak a made motion to approve the Low Income and Homeowners tax credit abatements and Veteran's abatements as explained by Christene. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Bleak, Aye; Paul Cozzens, absent.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the adjournment of the BOE and the reconvening of the Iron County Commission.

PERSONNEL

Betsy Cummings, Iron County Human Resource (HR) Interim Director, presented new hire Jessica Huntington as a Full-time Deputy Assessor/Clerical in the Assessor's Office, effective December 2nd. This was a backfill of a vacant position. Betsy presented new hire Jennifer Bradbury as Human Resource Director, effective December 16th. This was a backfill of a vacant position. Betsy presented new hire Carla Pearson as a Full-time Justice Court Clerk, effective December 15th. This was a backfill of a vacant position. Betsy presented new hire Kathleen Brown as a Part-time Secretary in the Sheriff Department, effective December 30th. This was a newly approved position for the 2020 budget year. Michael Bleak made a motion to approve new hires Jessica Huntington, Jennifer Bradbury, Carla Pearson, and Kathleen Brown as described. Second by Alma Adams. Voting: Alma Adams, Aye; Michael Blake, Aye; Paul Cozzens, absent.

NON-DELEGATED ITEMS

PRAIRIE DOGS

Reed Erickson reported that he had received a letter from Beaver County stating that they were opposed to the translocation of the Utah Prairie Dog (UPD) to Bald Hills due to the proximity to the Beaver County boarder. Reed explained that he would be attending a meeting at noon that day with the Fish and Wildlife and Bureau of Land Management (BLM) to discuss establishing the prairie dog sites. He asked the commissioners if they supported the decision to continue to explore the Bald Hills site and to help mitigate any help that was received. Reed reported that the area between the site and the Beaver County line was rugged terrain. Fish and Wildlife recognized that if the UPD were placed on the land they had the ability, because of the General Conservation Plan, to regulate and remove the prairie dogs from sites that were unwanted when the prairie dogs established an area. Beaver does not want any prairie dogs in their county. Reed explained that if the prairie dogs did cross the county line they could mitigate and remove the prairie dogs. Michael Bleak noted that it would be a benefit to work with BLM and the Federal Fish and Wildlife. Reed reported that there were solutions in place and it was beneficial to continue to explore the area.

ADJOURNMENT

Alma Adams, Iron County Commission Chair, declared adjournment.



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk

