

**IRON COUNTY COMMISSION MEETING
JANUARY 11, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 11, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair (via telephone)
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Karsten Reed	County Assessor
Dan Jessen	County Auditor
Terry Palmer	County Building & Zoning
Jennifer Bradbury	County HR Director
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT6

APPROVAL OF MINUTES2

CONTRACT TO QUALITY CRUSHING3

CONTRACT FOR INDIGENT CAPITAL DEFENSE COUNSEL4

CREDIT CARD LIMIT4

INVOCATION2

LEASE AGREEMENT REGARDING THE CEDAR CITY SENIOR CENTER4

NON-DELEGATED ITEMS.....6

PERSONNEL5

PLEDGE OF ALLEGIANCE.....2

PUBLIC COMMENTS3

PUBLIC HEARING REGARDING A GENERAL PLAN TIER AND ZONING CHANGE3

PUBLIC HEARING REGARDING A PROPOSED ZONING ORDINANCE (17.36.230).....2

“QUIET TITLE” REGARDING BULLOCH TRAILER COURT.....4

REORGANIZATION OF ASSIGNMENTS/APPOINT 2021 COMMISSION CHAIR.....3

RESOLUTION 2021-1 REGARDING THE CDBG FOR NEWCASTLE FIRE STATION.....4

TRAINING REGARDIN OPEN-MEETING LAW2

2021 EMPLOYEE MILEAGE REIMBURSEMENT RATES/PER DIEM RATES.....4

INVOCATION

An invocation was offered by Volney Morin.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Karsten Reed.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meetings held November 9th & 23rd and December 14, 2020. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood Abstained.

PRESENTATION OF TRAINING REGARDING OPEN-MEETING LAW

Mike Edwards, Iron County Deputy Attorney, presented a training regarding the Open-Meeting Law per UCA § 52-4 et seq.

REORGANIZATION OF IRON COUNTY COMMISSION ASSIGNMENTS AND APPOINTMENT OF COMMISSION CHAIR FOR 2021

Marilyn Wood, Iron County Commissioner, made a motion to nominate Michael Bleak as the 2021 Iron County Commission Chair and she would assume the Iron County Commission Assignments previously given to Alma Adams. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Michael Bleak requested that Paul Cozzens act as the Commission Chair pro-tempore as he was participating in the meeting from home. Marilyn Wood made a motion to appoint Paul Cozzens to act as the Commission Chair pro-tempore for this commission meeting. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT FOR A PROPOSED ZONING ORDINANCE AMENDING CODE SECTION 17.36.230-LOCATION OF MOBILE HOMES, TRAVEL TRAILERS, RECREATIONAL VEHICLES, BOATS, CAMPING TRAILERS, TRUCK CAMPERS AND MOTOR HOMES. AMENDING SECTION 17.17.030-TABLE OF USES AND SECTION 17.20.010-DEFINITIONS; ADDING SECTIONS 17.36.232-RECREATION VEHICLE TEMPORARY USE (1-16 DAYS) AND 17.36.34-RECREATIONAL VEHICLE SEASONAL USE (17-180 DAYS PER YEAR)

Reed Erickson, Iron County Planner, explained that this was a Public Hearing only and no action was needed at this time. Reed explained that the Iron County Planning Commission had been working on the proposed Zoning Ordinance and was recommending approval by the Iron County Commission. Reed gave a brief summary of the Ordinance amendments. The amendment to Section 17.36.230-Location of Mobile Homes, Travel Trailers, Recreational Vehicles, Boats, Camping Trailers, Truck Campers and Motor Homes was: Paragraph A-omitting “continuously” and the addition of “occupied or used for living or sleeping purposes “for more than 16 consecutive days, outside of an established travel trailer or mobile home park;” Paragraph B-addition of “Storage of a travel trailer or recreational vehicle, boat, camping trailer, truck camper, camper, or motor home is not permitted in the R-2, R-1, or R ½ residential zoning districts unless a privately occupied residence exists on the same lot.” SECTION 3 within Section 17.20.010-Definitions-amendments were made to definitions of Recreational Vehicle Seasonal Use, Recreational Vehicle Space, and Recreational Vehicle Temporary Use. SECTION 4-addition of Section 17.36.232-Recreational Vehicle Temporary Use (1-16 days) and Section 17.36.234-Recreational Vehicle Seasonal Use (17-180 days per year); and Section 17.36.236-Recreational Vehicle Space. Paul Cozzens, Iron County Commission Chair Pro-tempore, declared the Public Hearing open regarding the proposed Zoning Ordinance amending Code 17.36.230.

Volney Morin, a citizen of Iron County stated that he was concerned about creating regulations and charging citizens to do things on their private property.

William Pressgrove, a citizen of Iron County, section tile 8 health and safety and expressed his disapproval of the proposal and the Iron County Table of Uses. The Table of Uses takes away the citizens responsibility, rights to their private property, and their inalienable rights.

Justin Wayment, a citizen of Iron County, stated that it was better to be “proactive than reactive.” He, as an attorney, noted that if the county relied solely on the Nuisance ordinance, they would be on shaky legal ground.

Michael Bleak asked how the Ordinance would interact with the Southwest Public Health Department. Reed answered that it followed all guidelines from the Southwest Public Health Department.

Paul Cozzens declared the Public Hearing closed.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED GENERAL PLAN TIER CHANGE AND ZONING MAP AMENDMENT FOR PROPERTY AFFECTED BY THE RECENT DISSOLUTION OF CEDAR HIGHLANDS TOWN

Reed Erickson, Iron County Planner, explained that as a result of the dissolution of Cedar Highlands Town, Cedar Highlands was once again part of unincorporated county. Reed presented the Iron County zoning maps showing the proposed zoning and tier boundary in the area. He explained the Tier 2 boundary and zoning. The proposed zoning for the Cedar Highlands subdivision was R-1. The proposed zoning to the east and around the Cedar Highlands subdivision was A-20. The proposed Tier 2 boundary would be to the east side of the Cedar Highlands subdivision near the Right Hand Canyon Road. Reed reported that the Central Iron County Water Conservancy District (CICWCD) had taken over the water system for the subdivision. There were 165 lots with 86 connections (system capacity limited to buildout) and the HOA maintained the roads and was a community organization. He reported that there continued to be issues with the subdivision asking for help with road maintenance. Reed reported that the Planning Commission recommended approval of the Tiering system of Tier 2. Paul Cozzens, Iron County Commission Chair Pro-tempore, declared a Public Hearing open regarding the proposed General Plan Tier Change and Zoning Map Amendment. No public Comments offered. Paul Cozzens declared the Public Hearing closed.

DISCUSSION AND POSSIBLE ACCEPTANCE OF A PLANNED “QUIET TITLE” ACTION REGARDING LAND WITHIN THE BULLOCH TRAILER COURT ON CENTER STREET IN CEDAR CITY

Justin Wayment, counsel representing Bulloch’s, explained that the land was owned by several different people and Iron County foreclosed on property owned by Robert Bulloch (deceased) in 1936. Henry Bulloch began to purchase the land. Justin reported that the Bulloch property (APN: B-65-823-2 Canyon Breeze Mobile Home Park, Block 40, Lot 2. The owners were only interested in the land fenced within the boundaries shown on the map. Justin presented an aerial map of the property. and not the walls of the property. Marilyn Wood made a motion to accept a planned “Quiet Title” action regarding land within the Bulloch Trailer Court as presented. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

No Public Comments were offered.

RATIFICATION OF A CONTRACT TO PROVIDE CRUSHING OF UNTREATED AGGREGATE BASE WITH QUALITY CRUSHING IN THE AMOUNTY OF \$133,450

Paul Cozzens explained that he had signed the Crushing Contract the previous week and Quality Crushing was the low bid. The next action was to ratify the contract. Michael Bleak made a motion to ratify a contract to provide crushing of untreated aggregate base with Quality Crushing in the amount of \$133,450. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF A LEASE AGREEMENT BETWEEN CEDAR CITY CORPORATION AND IRON COUNTY FOR THE CEDAR CITY SENIOR CENTER

Mike Edwards explained that the Lease Agreement was in place because the Cedar City Senior Center was an Iron County Building sitting on Cedar City property. The Lease Agreement was to authorize the Senior Center building to be on Cedar City land. Marilyn Wood made a motion to approve the Lease Agreement between Cedar City Corporation and Iron County for the Cedar City Senior Center. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF AN ADDITIONAL CREDIT LIMIT FOR THE IRON COUNTY CREDIT CARD BALANCE

Dan Jessen, Iron County Auditor, explained that the Iron County Credit Card was set up to spend within the departments for authorized items. Dan reported that State Bank had a set limit to each of the cards and charged \$25 for each increase on the card. He requested that the limit increase (without charge for change) to be a \$10K floating buffer to prevent additional fees when a temporary increase was needed. Michael Bleak made a motion to approve an additional credit limit for the Iron County Credit Card balance in the amount of \$10K. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE ADOPTION OF 2021 EMPLOYEE MILEAGE REIMBURSEMENT RATES AND PER DIEM RATES

Dan Jessen explained that the Internal Revenue Service issued the 2021 standard mileage rates for the personal use of a vehicle on county business. Iron County chose to mirror the IRS Standard rate of 56 cents per mile when no county vehicle was available. The standard rate of 41 cents per mile was available if an employee chose to use their own vehicle and an Iron County vehicle was available for use. He reported that Iron County mirror the Utah Per Diem Rates. The Per Diem rates for meals while an employee traveled for work purposes were \$11 for Breakfast, \$14 for Lunch and \$20 for Dinner. A \$45 per day maximum and only reimbursed on meals used. Marilyn Wood made motion to approve the adoption of the Iron County 2021 Employee Mileage Reimbursement rates and Per Diem rates. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT FOR INDIGENT CAPITAL DEFENSE COUNSEL SERVICE

Mike Edwards, Iron County Deputy Attorney, explained that this was an ongoing contract. Iron County provided Indigent Capital Defense Counsel services and there was no cost to Iron County for the service as the State paid for it. Michael Bleak made a motion to approve a contract for Indigent Capital Defense Counsel Service. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RESOLUTION 2021-1 A RESOLUTION OF THE IRON COUNTY COMMISSION ADOPTING ADA COMPLIANCE CHECKLIST AND GRIEVANCE PROCEDURE, LANGUAGE ACCESS PLAN, REASONABLE ACCOMODATION POLICY AND EFFECTIVE COMMUNICATION POLICY

Reed Erickson explained that a Capital Improvement list was due last Friday and had been sent. That list would show what projects would be used with the CDBG grant money. Wayne Peterson, Newcastle Fire Chief, asked for help getting an application for a CDBG Grant to help improve the Newcastle Fire Station Building. Reed reported that the projects listed were: H1-Newcastle Fire Station Building at an estimated \$600K. The funding source would be \$200K from the CDBG Grant, \$100K Iron County match, \$200K from the Community Impact Board (CIB). Reed explained that the agenda item included two separate items, the ratification of the Capital Improvement List (that was already submitted) and an application for CIB funding. Marilyn Wood made a motion to approve the ratification of the Capital Improvement List-2021

in the amount of \$600K. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Reed explained that the 2nd part of the agenda item was Resolution 2020-1 adopting an ADA Compliance Checklist & Grievance Procedure, Language Access Plan, Reasonable Accommodation Policy, and Effective Communication Policy. He noted that Iron County needed the Policy in place to be qualified for the CDBG grant. Marilyn Wood made a motion to approve Resolution 2021-1 adopting an ADA Compliance Checklist as presented. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented new hire Holly Buhrman as a Full-time Legal Assistant in the Attorney's Office, effective February 8th. This was a backfill of an upcoming retirement position. Marilyn Wood made a motion to approve new hire Holly Buhrman as a Full-time Legal Assistant in the Attorney's Office, effective February 8th. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer presented a position change for Dustin Roy from Full-time Deputy 1 to Part-time Bailiff in the Sheriff Department, effective date January 10th. Michael Bleak made a motion to approve a position change for Dustin Roy as presented. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer presented new hire Marlyn "Marlene" Guerrero as a Part-time DMV Technician in the Assessor's Office, effective January 4th. This was a backfill of a vacant position. Jennifer presented new hire Amanda Bagley as a Part-time DMV Technician in the Assessor's Office, effective January 11th. This was a newly approved position. Marilyn Wood made a motion to approve the personnel changes in the Assessor's Office as presented. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye, Marilyn Wood, Aye.

PRESENTATION AND DISCUSSION OF CHIEF DEPUTY CLERK

Karsten Reed, Iron County Assessor, explained that as the new Iron County Assessor he was going to focus on increasing efficiency. One way to do this was to no longer have a "Chief Deputy" and add "Division Managers" to supervise the tasks. Karsten proposed that to create more efficiency and organized structure, with the addition of Division Manager, he would like to hire a part-time Data Collector. The Division Managers would be two from within the office. One would supervise residential and the other would supervise commercial. Dan Jessen, Iron County Auditor, reported that the Assessor's budget was tight but they could realign some items to help with the salary. Karsten explained that a Data Collector would save time and money with one person doing it rather than each person in the office. Michael Bleak made a motion to approve an addition of a Chief Deputy from within the office and to approve to hire a part-time Data Collector begin at \$14 per hour. Second by Marilyn Wood. Dan Jessen explained that a Chief Deputy was appointed not hired. Marilyn Wood made a motion to amend the previous motion to add wording that a Chief Deputy was an appointment not hired and a job description may change Chief Deputy to Division Manager. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

POLICY REVISIONS

Jennifer Bradbury presented policy revisions in Section 2-Compensation Paragraph A and B: change of wording; Section 7-Employee Status-Volunteers: rewrite Volunteers; Section 43-Volunteers: A, B- 6 & 10 update of policy. Mike Edwards suggested that in Section 6 add "however volunteer firefighters." Jennifer noted she would meet with Mike to fix the wording. Marilyn Wood made a motion to approve Policy Revisions as presented and all must be approved before the Iron County Commission. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

COMMISSION REPORTS

Marilyn Wood, Iron County Commissioner, reported that she had spoken with Mike and Jan Worthen. Both were out of the hospital and recovering from COVID-19 from home.

Paul Cozzens, Iron County Commissioner, reported that work continued to move forward on the addition to the Cedar City Senior Center. He met with Lieutenant Riches, Highway Patrol, who reported that they had spent \$6,738.50 out of the \$100K that was budgeted for the Safety Stops. Paul reported that he visited the Public Safety building regarding concerns about generator noise.

NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

ADJOURNMENT

Paul Cozzens, Iron County Commission Chair Pro-tempore, declared adjournment.


Signed: Paul Cozzens, Chairman(Pro-tempore)


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
JANUARY 25, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 25, 2021
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Karsten Reed	County Assessor
Dan Jessen	County Auditor
Terry Palmer	County Building & Zoning
Jennifer Bradbury	County HR Director
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	6
APPOINTMENT TO UAC BOARD OF DIRECTORS FOR 2021	4
APPROVAL OF MINUTES	2
CATASTROPHIC WILDFIRE PROJECT FUNDING FOR FISCAL YEAR 2021.....	5
DEPARTMENTAL REPORTS.....	2
DOMINGUEZ-ECALANTE “CASTING OF THE LOTS” SITE DISCUSSION.....	4
FIFTH DISTRICT COURT PUBLIC DEFENDER CONTRACT RENEWALS	6
GENERAL PLAN TIER AND ZONING CHANGE FOR CEDAR HIGHLANDS	5
INVOCATION	2
NON-DELEGATED ITEMS.....	6
ORDINANCE 2021-1 RV’S, TRAVEL TRAILERS (TABLED).....	4
PERSONNEL	6
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	3
PROFESSIONAL SERVICE CONTRACT WITH DENNIS C. JOHNSON (TV)	5
PROFESSIONAL SERVICE CONTRACT WITH MICHAEL V. WORTHEN (WILDLIFE)	5
2021 ANNUAL COOPERATIVE AGREEMENT WITH USU FOR EXTENSION SERVICE...5	

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Marilyn Wood.

INVOCATION

An invocation was offered by Michael Edwards.

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meeting held January 11, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood Abstained.

DEPARTMENTAL REPORTS

Carri Jeffries, Iron County Recorder, reported that her office was in their busy season. By law, they had to make a copy of all of their ownership plat as of January 1st. The Recorder's office also scanned each plat for convenience in retrieval. During the 4th quarter, there were 6,011 total recordings, with 2,044 transfer documents, 14 plats, and \$245,284 in revenue. A recent recording fee change from the State legislature increased the recording fees to a minimum of \$40, which increased overall Recorder's Office revenue. Total recordings for the year were 21,279, up from 14,941 in 2019. Total fees in 2020 were \$850,280.85. Carri reported that each year, her office was required to make a copy of each plat map as of January 1st. They also make a scan of each plat map. This process was going well, although slower than other years because of more recordings and recorded plats at the end of the year than normal. She and the commissioners discussed implementing a system to flag parcels that weren't legally subdivided.

Karsten Reed, Iron County Assessor, reported that he had promoted Exilda Serrano to the position of Chief Deputy over Residential. Karsten noted that Teresa Caldwell, Jessica Huntington, and Braden Beaumont were all pursuing their appraiser licenses. He expressed that it was beneficial to have good depth in Assessor's Office staff.

Nicole Rosenberg, Iron County Treasurer, reported that her total tax and other collections for 2020 were \$59,672,844, which was an increase from 2019. \$12,035,942 of that total collected amount was money that would remain with Iron County. Nicole reported that Iron County's "Pooled Cash," or money on hand was \$45,776,075.79. \$299,878 had been collected in interest, down significantly from \$885K in 2019. The large decrease was due to a significantly lower interest rate paid. She reported on a previously invested amount of \$12M with Moreton Asset Management Company. Those funds earned 1.67% for a return of \$150K. Nicole reported that outstanding taxes were similar to 2019, with \$6,822,689. She noted that her office had tracked this statistic closely, because the entities that rely on Iron County tax collection were anxious to see how much of a reduction in revenues there would be due to the economic downturn associated with the COVID-19 pandemic. It was a great relief to see that outstanding taxes actually decreased slightly. Nicole reported billing \$45M in property taxes, a slight increase. She reported that \$44M had already been collected. Nicole expressed appreciation for her deputies. She noted that online payments had increased to over \$5M. She noted that they had been preparing a mailing the notices to property owners regarding the May tax sale. Happily, there were fewer parcels in danger of being sold at tax sale. Nicole reported that her office ended the 2020 year under budget.

Paul Cozzens, Iron County Commissioner, reported that work on an addition to the Cedar Senior Citizens Center was progressing. Painting, flooring and siding were complete, and the heating, ventilation, and air conditioning (HVAC) was slated to be next, along with electrical and plumbing. Paul expressed hope that, with the additional space, the Cedar Senior Citizens Center would be able to reopen after being limited by the COVID-19 pandemic with greater ability to socially-distance. He spoke of the plague of loneliness amongst the senior population, especially because of the isolation of the pandemic. Paul reported that the Five County Association of Governments was considering a change in structure of the Southwest Utah Public Health Department. To save administrative overburden, they were considering moving the Behavioral Health department under the pervue of Dr. David Blodgett. There was also

consideration to change the board structure so that larger counties that contribute more would have more influence through weighted votes. As proposed, Washington County would have 6 votes, Iron County would have 2, and Beaver, Garfield, and Kane Counties would each have 1 vote. Paul then noted that when he was a councilman in Cedar City, they adopted a policy that key people must live within the municipal boundaries. He suggested that Iron County might want to adopt a similar policy.

Marilyn Wood, Iron County Commissioner, reported that she had spent time with Roads Superintendent, Preston Nelson and Landfill Supervisor, Bruce Anderson. Marilyn noted that she enjoyed learning about the operations and challenges facing those departments, and was happy to liaise with men that were already her friends. She noted that she had learned about the remarkable stonework on the bridges along the Kanarra Mountain Road that were built by the Civilian Conservation Corps (CCC). Marilyn was able to discuss projects and challenges facing the Landfill and Roads departments. She noted that constituents had approached her regarding holding commission meetings later in the day so citizens could more easily participate. Marilyn discussed the Utah legislature being in session, but that this legislative session was not opened to the public due to the COVID-19 pandemic. She expressed that it was unfair that lobbyists were being granted access while the public was not. Marilyn concluded by mentioning bills that had to do with concealed firearm permits and concentrated animal feeding operations.

Michael Bleak, Iron County Commissioner, reported that COVID-19 vaccinations were doing well. Unlike other areas, the primary constraint for vaccinating people was the supply of vaccine doses. The focus was on individuals aged 70 and older, law enforcement personnel, 1st responders, and educators. Mike mentioned that one lady did not feel well after having received the vaccine. For most people, there were not serious side effects. The commissioners discussed some of the challenges facing citizens that were trying to call in to make a vaccination appointment. Once the window was opened for appointments, it would fill within a short period of time. There were challenges with an online portal also being overwhelmed. Mike noted that the goal was for Iron County to be vaccinating 1,000 individuals a week. Southern Utah University (SUU) stood ready to help provide facilities once vaccinations began in earnest. He noted that Iron County had a plan to be able to vaccinate 45,000 individuals in 30 days. Iron County was the only county with a plan to be able to vaccinate most of its citizens within a month's time.

PUBLIC COMMENTS

Gary Player, a citizen of Cedar City and Professional Geologist, discussed his concerns regarding a proposed ground water management plan for Cedar Valley with the commissioners. Mr. Player noted that the Utah Division of Water Rights had included the area of Cedar Breaks within the Cedar Valley aquifer system. He noted that he and his colleagues could prove that said inclusion was an error. Furthermore, by incorrectly including the Cedar Breaks and non-valley areas within the aquifer system, exploring new water in those areas. Mr. Player noted the beautiful ice formations that occurred in the winter along SR-14, below the SUU Mountain Center. He noted that the ice formed from water seeping from the rocks, which suggests that those rocks are saturated. Most of the springs in the mountains are above 9,000 feet in elevation. Mr. Player stated that the water in those formations travels east and remains sub-surface and ends up in the Grand Canyon. He estimated that the annual recharge into these rocks might exceed 15,000 acre feet. It might be possible to extract significant water resources without drawing down the bedrock aquifers. Mr. Player noted that not all geologists in the area agreed with his assessment of these rock formations and of the water that was potentially available, but it was important to maintain the right to explore such. He noted that if water were pumped from these layers, it could simply be placed in Coal Creek and would supplement surface water, reducing demand for water drawn out of the aquifer in Cedar Valley. Mr. Player explained that the Hurricane Fault ran along the foothills of the mountains, and was impermeable, meaning that the water within those rocks could not reach the Cedar Valley aquifer except on the surface. He noted that there were 60 days to appeal the proposed ground water management plan to not include areas east of the Hurricane Fault, thereby limiting the opportunity to explore those higher

elevation formations and their potential. Mr. Player explained that he was asking Iron County to appeal the plan as he explained. He himself was also planning to appeal. The deadline to appeal was mid-March, 2021. Marilyn Wood discussed drilling into the formations in question as a method to mitigate the saturation that causes slides and damaged SR-14. Marilyn noted that she intended to work with the Utah Department of Transportation (UDOT) to help bring about said drilling to help preserve that vital highway east of Cedar City.

DISCUSSION REGARDING THE DOMINGUEZ-ESCALANTE TRAIL AND UPCOMING 250TH ANNIVERSARY. DISCUSSION REGARDING IMPROVING A MONUMENT AND TRAIL TO, "CASTING OF THE LOTS SITE."

Jay Jones, a resident of Cedar City discussed the Dominguez and Escalante expedition of 1776. Mr. Jones noted that it was the first recorded expedition through Iron County. The priests were peaceful, made record of the indigenous peoples, and attempted to map an overland route to Monterrey, California to Santa Fe, New Mexico. In western Iron County, the group stopped on October 11, 1776 and "cast lots," to determine whether to return to Santa Fe, or continue to search for a trail to Monterrey. The result was to return. The historical site, located at N 37° 41.115 W 113° 08.607, features a very rough access trail and an aging historical marker. Mr. Jones asked for financial consideration to update the marker, and he and the commissioners discussed improving access to the site. The commissioners discussed highlighting the Casting of the Lots site on the Iron County Off Highway Vehicle (OHV) system and maps. Reed Erickson mentioned that the site had been discussed with the Bureau of Land Management (BLM).

DISCUSSION AND POSSIBLE APPOINTMENT OF A MEMBER TO SERVE A ONE YEAR TERM ON THE UAC BOARD OF DIRECTORS FOR THE 2021 YEAR

Marilyn Wood made a motion to appoint Paul Cozzens to serve a one-year term on the Utah Association of Counties board for one year. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY ORDINANCE 2021-1, AMENDING IRON COUNTY CODE 17.36.230, LOCATION OF MOBILE HOMES, TRAVEL TRAILERS, RECREATIONAL VEHICLES, BOATS, CAMPING TRAILERS, TRUCK CAMPERS, AND MOTOR HOMES; AMENDING IRON COUNTY CODE 17.17.030 – TABLE OF USES; AND SECTION 17.20.010 – DEFINITIONS; ADDING SECTION 17.36.232 – RECREATIONAL VEHICLE TEMPORARY USE (1-16 DAYS) AND SECTION 17.36.234 – RECREATIONAL VEHICLE SEASONAL USE (17-180 DAYS PER YEAR); AND PROVIDING AN EFFECTIVE DATE.

Reed Erickson, Iron County Planner, explained that this item had been brought before the commissioners previously, and that the requisite public hearing had already been held. Reed offered his assistance to the commissioners to help them in their deliberations and to answer any questions. He requested that the commissioners have any deliberations on the matter in public. Paul Cozzens replied that he was concerned because of the very expensive housing market. Paul was concerned about limiting use to 16 days, concerned about having to get a building permit and, ultimately, he was concerned that this ordinance might cause Iron County to kick someone off their land. He recognized the public health concerns that needed to be addressed. Marilyn Wood noted that there are individuals who have lived in the western areas of Iron County for years. Marilyn expressed concern that those individuals, who are often impoverished may not have a tenable solution. Reed Erickson replied that the proposed ordinance actually loosens existing standards. The ordinance was designed to make it more possible to use a recreational vehicle and remain on their property. Paul Cozzens moved to table Iron County Ordinance 2021-1, to provide an opportunity to gather additional information. Paul expressed appreciation for, and noted the hard work of, the Iron County Planning Commission in bringing the ordinance to this point. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL ON A PROPOSED GENERAL PLAN TIER CHANGE AND ZONING MAP AMENDMENT FOR PROPERTY AFFECTED BY THE RECENT DISSOLUTION OF CEDAR HIGHLANDS TOWN.

Reed Erickson, Iron County Planner, explained that the land that was formerly part of Cedar Highlands Town was once again, part of unincorporated Iron County and the updated to the zoning and General Plan Tier maps. A public hearing was held during the January 11, 2021 Iron County Commission Meeting, but no action was included on the agenda. The proposed zoning was for R1 within the Cedar Highlands subdivision, and A-20 in the surrounding open spaces. Parcels east of Right-Hand Canyon Road were to be included in Tier II, allowing future development. These recommendations were supported by the Iron County Planning Commission, as well as the Cedar Highlands Homeowners' Association. Marilyn Wood made a motion to approve the zoning and tier assignments as explained. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF THE 2021 ANNUAL COOPERATIVE AGREEMENT BETWEEN USU EXTENSION SERVICE AND IRON COUNTY

Kathy Riggs, USU Extension Professor, presented the annual renewal of the agreement between USU and Iron County. She noted that in 2020, it was decided to do an annual renewal. Paul Cozzens made a motion to approve the 2021 Annual Cooperative Agreement between USU Extension Service and Iron County. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF CATASTROPHIC WILDFIRE PROJECT FUNDING FOR FISCAL YEAR 2021

Ryan Riddle, Iron County Fire Warden, presented a request for Iron County to receive and process Catastrophic Wildfire Project funding for the fiscal year 2021. The Iron County paging system was maintained by the Iron County Ambulance service. When the Ambulance Service was sold, the maintenance of the paging system was neglected. After some alarming failures, it was decided that the maintenance of the paging system would fall under Iron County Emergency Management. This was a marked improvement, but was still not optimal. A committee of experts was formed, and after analyzing the system and the relay sites, it was decided to keep the paging system as an analog system. Also, the infrastructure was aging and insufficient. Fortunately, Gold Cross Ambulance stepped up to help maintain and improve the system. The committee decided to request \$70K to repair and improve the system. Marilyn Wood made a motion to approve the pass-through Wildfire Project funding as presented to begin the needed repairs and site improvement. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF PROFESSIONAL SERVICE CONTRACT BY AND BETWEEN DENNIS C. JOHNSON, TELEVISION TECHNICIAN AND IRON COUNTY FOR THE 2021 YEAR

Paul Cozzens made a motion to approve the contract for professional services between Iron County and Dennis Johnson, Television Technician for the 2021 year. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF PROFESSIONAL SERVICE CONTRACT BY AND BETWEEN MICHAEL V. WORTHEN, WILDLIFE MITIGATION TECHNOLOGIES AND IRON COUNTY FOR THE 2021 YEAR

Marilyn Wood made a motion to approve the contract for professional services between Iron County and Michael V. Worthen, Wildlife Mitigation Technologies for the 2021 year. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF FIFTH DISTRICT PUBLIC DEFENDER CONTRACT RENEWALS FOR JEFF SLACK AND TROY SUNDQUIST

Shain Manuele, Iron County Defense Attorney Coordinator, presented the annual renewals of Public Defender Contracts between Iron County and Jeff Slack and Troy Sundquist. He noted that, per request, complex litigation fees were taken out, and a caveat that the public defenders not file suits against Iron County was included. Paul Cozzens made a motion to approve the Public Defender Contracts as presented. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County HR Director presented the new hire of Chase Troutner as Full Time Deputy Attorney 3, effective February 22, 2021, in the Attorney's Office. This was a newly approved position for 2021. Marilyn Wood made a motion to approve the new hire of Chase Troutner as explained. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the appointment of Exilda Serrano as Chief Deputy over Residential, effective January 25, 2021, in the Assessor's Office. This would change Exilda from hourly to exempt salary status with corresponding pay. This was a newly approved position. Paul Cozzens made a motion to approve the appointment of Exilda Serrano as explained. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the interim transfer of Jason Slack from Corporal to Interim Sergeant, with corresponding pay, effective January 24, 2021, in Corrections. Jennifer Bradbury also presented the interim transfer of Matthew Malachowski from Deputy 3 to Interim Corporal, with corresponding pay, effective January 24, 2021. Marilyn Wood made a motion to approve the interim transfers of Jason Slack and Matthew Malachowski as explained. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the new hire of Richard Wilson as Iron County Chief Engineer, effective February 7, 2021. This was a backfill of a vacated position. Paul Cozzens made a motion to approve the new hire of Richard Wilson as explained. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented a policy update of Personnel Policy, Section 3, Salary Placement. This change replaced all references to "Step and Grade," with "Position Pay Range." Marilyn Wood made a motion to approve changes to Personnel Policy, Section 3 as explained. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.


NON-DELEGATED ITEMS

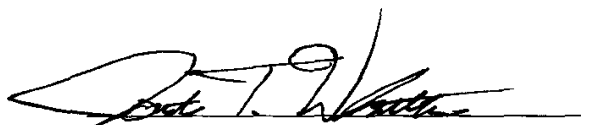
Paul Cozzens made a motion to include Enoch Mayor Geoffrey Chestnut as a member of the Iron County Economic Development Board. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Paul Cozzens made a motion to appoint Tyler Melling to replace Tom Stratton as a member of the Central Iron County Water Conservancy District. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ADJOURNMENT

Michael P. Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael P. Bleak


Attest: Jonathan T. Whittaker, County Clerk

January 25, 2021



**IRON COUNTY COMMISSION MEETING
FEBRUARY 8, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 8, 2021
in the Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Chad E. Dotson	County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Dan Jessen	County Auditor
Nicole Rosenberg	County Treasurer
Jennifer Bradbury	County HR Director
Stephanie Furnival	County CJC Director
Lori Eichelberger	County Justice Court Administrator

SYNOPSIS

ADJOURNMENT	11
APPROVAL OF MINUTES	2
DEPARTMENTAL REPORTS.....	2
INVOCATION	2
LEASE AGREEMENT WITH CEDAR CITY FOR CEDAR SENIOR CITIZENS CENTER...	11
NON-DELEGATED ITEMS.....	11
ORDINANCE 2021-1 RV'S, TRAVEL TRAILERS	6
PERSONNEL	11
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	5
PUBLIC HEARING AND APPROVAL OF MINOR SUBD.: HB RANCH.....	5
PUBLIC HEARING AND APPROVAL OF ROAD DEDICATION SUBDIVISION.....	5
PUBLIC HEARING AND APPROVAL OF ZONE CHANGE R-1 TO R-5.....	5
PRESENTATION REGARDING RIGHT-OF-WAY ISSUES NEAR WOODS RANCH	4
PRESENTATION OF UTAH STATE PILT PAYMENT AND DWR PROJECTS	4

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

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held January 28, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood Aye.

DEPARTMENTAL REPORTS

Chad Dotson, Iron County Attorney, thanked the commissioners for supporting a new position within the Iron County Attorney's Office. Chad noted that there had not been a new position for over 15 years. He noted that the position had been filled by Chase Troutner, who been a prosecutor in Salt Lake County and that he would begin on February 22nd. Chad noted that with the addition of Chase Troutner, Sam Woodall in the office would be able to assist Michael Edwards with civil matters. He noted that the courts were still in "Phase Red," meaning no jury trials were set due to the COVID-19 pandemic. Hopes were high that jury trials could begin soon. Chad noted that there was a significant backlog because it had been a year since jury trials could be held. He noted that while many citations were down during the pandemic, homicides had increased. Chad expressed hope that increased homicides would not become a trend. He discussed upcoming litigation to which Iron County had joined regarding Opioids. The law firm of Phipps Mayes, PLLC were representing many municipalities, and the lawsuit had been consolidated to just include Summit County. He expected the suit to be long and drawn out.

Stephanie Furnival, Iron County Children's Justice Center (CJC), reported that the COVID-19 pandemic had made a significant difference in the CJC's case load. Stephanie explained that most referents were teachers, and that with classes not in session, they were aware of many fewer cases. Unfortunately, they expected a significant increase once schools reopened. She reported that they had successfully opened the Garfield County CJC, and had already had interviews. In Panguitch, the new office was located in the old high school. Stephanie explained that Teresa Wood, who is the victim advocate the Beaver County CJC, travels to Panguitch for Garfield County cases. Because of the pandemic, counselors had not been housed in schools, which also resulted in less reporting. They were relieved that school was back in session, and that counselors were back as well. In case of a future demand, the therapists were training for telemental health. Stephanie explained that one of the biggest challenges was that there were too few therapists practicing to meet the demand. She explained that the Victims of Crime Act (VOCA) was a two-year grant, and would be finishing in the spring of 2021, necessitating reapplying. She noted that there would be a 10% cut, amounting to reduced funds of \$78K in Iron County, with a 15% reduction in funding during the second year of the next VOCA cycle. Fortunately, the National Childrens Alliance, in concert with the Cambria Foundation had awarded \$1M to Utah because of the unique and effective way Utah CJC's function. Stephanie was hoping that those funds would help bridge the shortfall in VOCA funding. Regarding other sources of funding, she noted that on May 15th, they would be holding their annual fund raising "Fun Run." The CJC was considering methods to allow for social distancing during the Fun Run. Stephanie also mentioned the annual golf tournament and Dancing with the Neighborhood Stars event. They were fully staffed.

Lori Eichelberger, Iron County Justice Court Administrator, reported that the Justice Court ended 2020 under budget at 88% spent, particularly due to no bench trials during much of the year. The Justice Court was fully staffed that was working together very well. In terms of cases, there were more controlled substances and domestic violence cases. While revenues were off due to the COVID-19 pandemic, Lori noted that they had not dropped off significantly. Citations that were written remained close to previous years, despite the pandemic. She noted that things were operating smoothly within the Justice Court. Many proceeding were being held

via Webex, while no jury trials were yet allowed. Lori noted that there was a significant backlog of cases particularly relating to small claims.

Brionna Garrett, Iron County Victim Advocate Coordinator, reported that their program had served 1,130 clients in 2020. 984 of those were new clients. Of the clientele served, 62% were female, with 36% being male with the remainder being either unreported or part of the LGBTQ community. Brionna reiterated that there had been a significant increase in homicides in 2020, resulting in 11 homicide survivor victims that received supports. Said supports included counseling, hotel rooms as needed, and support via the criminal justice system. There were also 216 domestic violence victims survivors that received services. The Victim Advocate program also coordinates with the CJC and law enforcement on child abuse cases. There were 83 child victims in 2020. The Victim Advocate program was also being affected by the reduction in VOCA funding, resulting in a \$23K reduction in 2022, and a \$31K reduction in 2023. Ironically, the pandemic caused a reduction in expenses nearly equal to the reduction in VOCA funding for 2022. They were hoping to acquire some one-time funding to help defray training expenses. Brionna had met with Cedar City Police Chief, Darin Adams, who expressed willingness to help with the shortfall. She noted that Iron County directly funded about 15% of one of the advocates' benefits, which might need to increase to offset the VOCA reduction. The commissioners thanked Brionna and all of the advocates for the work they do.

Paul Monroe, General Manager of the Central Iron County Water Conservancy District (CICWCD), reported on projects they worked on during 2020. There was a \$450K grant to rework springs in the Cedar Highlands subdivision. They were able to complete that work before it was snow bound, and a supply line leak of 10 to 15 gallons per minute was discovered by accident and was able to be repaired. Fortunately, the leak repair was more beneficial than all of the other work done on that project. The CICWCD were aware of a leak, and had been trying to isolate it for 2 years, but were relieved when it was discovered by accident. Another project completed was in the Chekshani Cliffs subdivision where they drilled a new well. They were pleased because the water quality of the new well was significantly better than the original well. There was 4 times less contaminants in water from the newly drilled well. Paul explained that the owners in Chekshani Cliffs would likely be pursuing an Assessment Area to pay for the improvements. Yet another project was the ongoing efforts in recharge and reuse projects to bolster the aquifer. In concert with Iron County equipment and staff, they were building a dike in Quichapa Lake to isolate the northern water from the southern water. Water in the southern part of Quichapa Lake contained a higher level of dissolved solids, so the dike would serve to isolate the higher quality water in the northern portion, which could then be pumped for irrigation, thereby reducing the amount of water pumped out of the aquifer. The well that would be idled is within a few hundred feet of a well that Cedar City Corporation uses to provide drinking water, and the idled well will help the aquifer to not decline as quickly in that localized area. In particular, Paul Monroe expressed his appreciation to Paul Cozzens for his efforts in personally help in the construction of the dike. Two youth homes in the area were considering joining the CICWCD. In the Wah Wah Valley, in western Beaver County, the permitting process to be able to develop water there to be piped to Iron County residents was getting closer. The project was in the National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) process, with a draft EIS expected in April. Paul discussed some bills in the legislature with the commissioners, as well as potential recharge in the Enoch graben. 2020 had been a positive year with an all-time high number of connection fees. The CICWCD had been able to set aside \$500K for future projects. Paul announced public meetings to be held on February 16th addressing surface water, sub-surface water, and a proposed groundwater management plan.

Paul Cozzens, Iron County Commissioner, reported that a project to expand the Senior Citizens Center in Cedar City was progressing well. Siding was complete, egress in the Northwest corner of the parcel was progressing, and the elevator was nearly complete. Paul expressed that Carter Enterprises was doing a great job. He reported that the project to construct a dike in Lake Quichapa was nearing completion. A new steel building was going to be built for the Fair to store floats. Paul responded to a tweet claiming that an Iron County Commissioner was infecting people with COVID-19. He responded that though his wife had the virus, Dr. David Blodgett of the Southwest Utah Public Health Department said that if he took a COVID-19 test and it returned negative, he would not be contagious. Paul noted that he had been tested twice with 2 negative results.

Marilyn Wood, Iron County Commissioner, reported that she and Commissioner Bleak had attended an event entitled, "Farmers Feeding Utah." At that event, 1,200 people were served, with over 1 million pounds of food being donated, from local farmers. This event helped with 2 problems, alleviating hunger, as well as helping local farmers get their products to market. It was a very successful event that the local Farm Bureau, headed by Scott Stubbs oversaw. At the event, cars would pull directly into the building and the food was loaded into the cars following social distancing. Marilyn discussed several bills under consideration at that time.

Michael Bleak, Iron County Commissioner, reported that he met with Danny Stewart regarding an inland port that proposed for Iron County. Mike noted that there had been negative publicity regarding the inland port that was unwarranted, particularly along the Wasatch Front. He expressed that an inland port would be very beneficial to Iron County, by providing greater access to rail transport and larger markets. He reported that there was quite a bit of frustration among those hoping to make a reservation to receive a COVID-19 vaccine. The time slots fill very quickly, and many residents have been unable to get an appointment. Mike noted that this was primarily due to the small number of doses made available, which was about 500 per week. He noted that Iron County was actually capable of administering 45,000 doses in a month, or most of the residents in a month's time. Mike expressed great pride in this and Iron County generally.

PRESENTATION BY THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) REGARDING RIGHT-OF-WAY ISSUES IN THE WOODS RANCH AREA

Matt Rhodes, of UDOT, gave a presentation regarding a project to construct a passing lane along SR-14 in the Woods Ranch Area that would affect Iron County. He noted that a fence along the frontage to SR-14 was built within the right-of-way as surveyed, and would need to be moved. He was also concerned about an existing flagpole and welcome sign for the recreation area. This presentation was informational only, and survey markers would be placed to help properly locate the fence, flagpole, and welcome sign.

PRESENTATION OF UTAH STATE PAYMENT IN LIEU OF TAXES (PILT) PAYMENT

Kevin Bunnell, the Southwest Region Supervisor for the Division of Wildlife Resources, reported continued improvement regarding the Utah Prairie Dog. He noted that delisting of the species was getting closer. He expressed appreciation for Reed Erickson for his help with the process. The General Conservation Plan (GCP) had replaced the Habitat Conservation Plan (HCP), and was functioning well. Kevin noted that there were fewer angry phone calls regarding the rodents. He discussed the ongoing drought, and that there were fewer deer. The counts for does and fawns were low. However, the deer numbers were still too high. Elk were lower than target numbers in most areas. Kevin explained that there was a continual balance between hunting and ranching to prevent damage to range lands. Habitat Restoration Biologist, Curtis Roundy, reported that mid-elevation bench projects to reduce pinyon and juniper trees and improve feed for wild and domestic grazing animals were being carried out. Bull Hog equipment chips the trees and allows more grasses to grow. Curtis noted that in prior efforts, the mid-elevation of 6,000 to 9,000 feet had been neglected. The goal was to treat 8,000 acres in the southwest desert. He noted that the treated areas require 2 to 3 growing seasons of recovery.

PUBLIC HEARING AND APPROVAL OF PROPOSED ROAD DEDICATION SUBDIVISION, “GEORGE VANDENBERGHE FAMILY LLC & SAGEBRUSH AVENUE LLC (6 PARCELS)”

Reed Erickson, Iron County Planner, explained that this proposed subdivision corrects several problems. Illegal lots had been created during the realignment of Vandenberghe Road and 5700 West; the land was rezoned to Commercial; and this type of subdivision (a “Road Dedication Subdivision”) allowed for subdividing without all of the regular, stringent requirements, such as flowing water and other infrastructure before approval. Michael P. Bleak, Iron County Commission Chair, declared a public hearing open regarding the proposed subdivision. No public comments were offered. Marilyn Wood made a motion to approve the “George Vandenberghe Family LLC & Sagebrush Avenue LLC (6 Parcels)” Road Dedication Subdivision, containing approximately 126.15 acres and located within the S1/2 SE1/4, Section 2 & N1/2 NE1/4, Section 11, T37S, R12W, SLB&M, APN: E-262, E-262-4, E-262-7, E-262-6, E-262-5-1, E-262-5-R1 & E-278. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING AND APPROVAL OF A ZONE CHANGE FROM R-1 TO R-5, LOCATED AT APPROXIMATELY 4500 N 2300 W, CEDAR CITY

Reed Erickson, Iron County Planner, explained that this parcel was also to be considered for subdivision next on the agenda. The parcel in question contained 60 acres, and was proposed to be subdivided into 6 parcels. There was a sewer main that runs along the back portion of the proposed lots. The R-5 designation allows for animals on the parcels before homes are built. Michael P. Bleak, Iron County Commission Chair, declared a public hearing open regarding the proposed zone change. Paul Cozzens made a motion to approve the proposed zone change from R-1 to R-5 for APN: D-528-5, located at approximately 4500 N 2300 W, Cedar City. Located within the S1/2 NW1/4 NE1/4 & SW1/4 NE1/4, Section 16, T35S, R11W, SLB&M. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING AND APPROVAL OF A PROPOSED MINOR SUBDIVISION, “HB RANCH MINOR SUBDIVISION – 6 LOTS,”

Reed Erickson, Iron County Planner, explained that the proposed Minor Subdivision was the same land as the previous agenda item for a zoning change. Reed explained that the developer had bonded for the necessary improvements. Due to the nature of the layout, there would only be 3 access points along 2300 W for the lots. Each access point would be asphalt to a common pad shared by two lots. Michael P. Bleak, Iron County Commission Chair, declared a public hearing open regarding the proposed Minor Subdivision. Marilyn Wood made a motion to approve the “HB Ranch Minor Subdivision – 6 Lots,” located at approximately 4500 N 2300 W, Cedar City. Located within the S1/2 NW1/4 NE1/4 & SW1/4 NE1/4, Section 16, T35S, R11W, SLB&M, and containing approximately 60.65 Acres. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

No public comments were offered.

ORDINANCE 2021-1, APPROVAL OF AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING IRON COUNTY CODE SECTION 17.36.230 – LOCATION OF MOBILE HOMES, TRAVEL TRAILERS, RECREATIONAL VEHICLES, BOATS, CAMPING TRAILERS, TRUCK CAMPERS, AND MOTOR HOMES; AMENDING SECTION 17.17.030 – TABLE OF USES, AND SECTION 17.20.010 – DEFINITIONS; AND ADDING SECTIONS 17.36.232 – RECREATIONAL VEHICLE TEMPORARY USE (1-16 DAYS) AND 17.36.234 – RECREATIONAL VEHICLE SEASONAL USE (17-180 DAYS PER YEAR); AND PROVIDING AN EFFECTIVE DATE.

Reed Erickson, Iron County Planner, explained that this Ordinance 2021-1, had been updated as per Paul Cozzen's request to provide an exception to the requirement of a building permit that allows a recreational vehicle to be used if the owners submit an affidavit stating that they are the legal owner of record, the occupant of the recreational vehicle, and that they assume personal responsibility for the water supply, vehicle winterization, and sewage waste disposal in accordance with state and county health regulations. Reed clarified that this language would be inserted under section 17.36.230, versus other sections that referred to more temporary uses.

Michael P. Bleak, Iron County Commission Chair, declared a public hearing open regarding Iron County Ordinance 2021-1. Volney Morin, a resident of Iron County, complimented Reed Erickson on his clear presentations to the commissioners and the public. Mr. Morin expressed concern regarding the proposed use of an affidavit. He wondered whether a generic affidavit would be made available to the public. Mr. Morin also expressed concern that Iron County was regulating individuals' personal property on real property. He perceived this a pattern of greater regulation, and that it could cause greater taxing complexity. Mr. Morin expressed concern that this increase in regulation amounted to a, "slippery slope." Paul Cozzens expressed a desire regarding this proposed ordinance that they, "make the band-aid to fit the wound," or not to over-regulate, but to require only what is necessary for health and safety. Michael Bleak expressed gratitude to Reed Erickson and the Iron County Planning Commission for their diligent work in bringing and refining the proposed ordinance before the commissioners. Michael noted that there was no intent to forcibly remove anyone from their property, but that there needed to be an ordinance in place for the most egregious cases. Paul Cozzens made a motion to approve Iron County Ordinance 2021-1. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY ORDINANCE 2021-1

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING IRON COUNTY CODE SECTION 17.36.230 – LOCATION OF MOBILE HOMES, TRAVEL TRAILERS, RECREATIONAL VEHICLES, BOATS, CAMPING TRAILERS, TRUCK CAMPERS, AND MOTOR HOMES; AMENDING SECTION 17.17.030 – TABLE OF USES, AND SECTION 17.20.010 – DEFINITIONS; ADDING SECTIONS 17.36.232 – RECREATIONAL VEHICLE TEMPORARY USE (1-16 days) AND 17.36.234 – RECREATIONAL VEHICLE SEASONAL USE (17-180 days per year); 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 ‘Recreational Vehicle Use’ 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 17.36.230 - **Location of mobile homes, travel trailers, recreational vehicles, boats, camping trailers, truck campers and motor homes**, of the Iron County Code, shall be, and hereby is, identified and amended and reads as follows:

17.36.230 - Location of mobile homes, travel trailers, recreational vehicles, boats, camping trailers, truck campers and motor homes.

Unless permitted as a use allowed by the zoning district as identified in the table of uses, the location or storage of mobile homes, travel trailers and mobile homes outside of mobile home parks, travel trailer parks and campgrounds, and the location or storage of recreational vehicles, boats, camping trailers and truck campers shall be subject to the following:

A. At no time shall the mobile home, travel trailer, recreational vehicle, boat, camping trailer, truck camper or motor home be occupied or used for living or sleeping purposes for more than 16 days (Recreational Vehicle Temporary Use) or 180 day (Recreational Vehicle Seasonal use), outside of an established travel trailer or mobile home park. An exception is recognized when the County Building Official grants a building permit to insure positive utility connections for sewer & water; a residential solid waste service is secured; and, adequate winter provisions are made to keep water and sewer from freezing.

B. If a mobile home, travel trailer, recreational vehicle, boat, camping trailer, truck camper or motor home is located or stored outside of a garage or carport, it shall be placed behind the front

line extended of the primary residence, except for loading and unloading purposes, which is permitted for a period of time not to exceed seventy-two hours. Storage of a travel trailer or recreational vehicle, boat, camping trailer, truck camper or motor home is not permitted in the R-2, R-1 and R-1/2 residential zoning districts unless a privately occupied residence exists on the same lot.

C. Property Owner-Occupant Exemption. Except for properties in the R1/2 lots zoning district, and for properties in any subdivisions with paved streets, curb, gutter, sidewalks and subject to private covenants and restrictions, the owner of a legal lot of record may, in lieu of providing documentation to comply with the timeliness and Subsections 1, 2, 3 and 4 of this section, provide an affidavit to the Iron County Building and Zoning department stating under penalty of perjury that:

- a) The property owner is the legal owner of record of the lot property described in the instrument affidavit by legal description and parcel number.
- b) The property owner is an occupant of the recreational vehicle; and
- c) The property owner assumes personal responsibility for water supply, vehicle winterization, and sewage waste disposal in accordance with state and county health guidelines, regulations, or through a legally permitted off-site system or service.

SECTION 2. 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	R4K	C	LI	I	IA
Recreation, commercial	C	C	X	X	X	X	X	X	C	C	C	X
Recreational Vehicle Seasonal Use	P	P	P	P	P	P	P	X	X	X	X	X
Recreational Vehicle Space	A	A	A	A	A	A	A	X	X	X	X	X
Recreation Vehicle Temporary Use	P	P	P	P	P	P	P	P	X	X	X	X
Recycling processing facility	X	X	X	X	X	X	X	X	X	X	C	C

SECTION 3. 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*):

17.20.010 Definitions.

Recreation, Commercial. "Commercial recreation" means recreational facilities operated as a business and open to the general public for a fee, such as ski resorts, golf driving ranges and baseball batting ranges.

Recreational Vehicle Seasonal Use. Recreational vehicles such as travel trailers, camping trailers, truck campers, and motor homes that are placed for use as designed to camp and remain for more than 16 days of any 30-day period and less than 180 days in any calendar year. After 180 days the camp must be moved from the property upon which the seasonal use occurred.

Recreational Vehicle Space. One space provided on a residential lot when a permanent residence is located on the same property to accommodate a single recreational vehicle, including positive connections to water, sewer and electrical services and where a recreational vehicle may remain up to 180 days per year and no fee is charged for its placement or use.

Recreational Vehicle Temporary Use. Recreational vehicles such as travel trailers, camping trailers, truck campers, and motor homes that are placed for use as designed to camp and remain for up to 16 days of any 30-day period. After 16 days the camp must be moved from the property upon which the temporary stay occurred.

"Recycling collection center" means a center for the acceptance and temporary storage of recyclable materials to be transferred to a processing facility. Recycling collection centers involve not more than three collection containers up to forty cubic yards in total size. Collection centers located in parking lots may not occupy required parking spaces. A collection center must be arranged so as not to impede traffic flow. The operator of the collection center shall remove products stored at the site at least once a week. The operator of the collection center shall keep

the collection center in proper repair and the exterior must have a neat and clean appearance. Automated can recycling machines are limited to two per site.

SECTION 4. Sections 17.36.232 - Recreational Vehicle Temporary Use (1-16 days) and 17.36.234 - Recreational Vehicle Seasonal Use (17-180 days per year), 17.36.236 Recreational Vehicle Space (17-180 days per year), of the Iron County Code, shall be, and hereby is, identified and added to read as follows:

17.36.232 Recreational Vehicle Temporary Use (1-16 days).

A. A recreational vehicle temporary use may occur on any legal lot of record in any of the following agricultural or residential zoning district of the county (A-20, RA-20, RR-20, R-5, R-2, R-1, R-1/2, R4K) subject to the following:

1. Self-contained bathroom facilities must be provided in the recreational vehicle or by use of a portable chemical toilet. No human waste may be deposited or left on the property.
2. Garbage must be contained and removed from the property with no garbage left on the property, loose or in containers.
3. Campfires are permitted in approved fire rings and it shall be the responsibility of the occupants to know if fire restrictions are in effect before starting campfires.
4. Camping must remain at least 100 feet from any stream or open water body.

17.36.234 Recreational Vehicle Seasonal Use (17-180 days per year).

A. A recreational vehicle seasonal use may occur on any legal lot of record in any of the following agricultural or residential zoning districts of the county (A-20, RA-20, RR-20, R-5, R-2, R-1, R-1/2) subject to the following:

1. Qualification for Recreational Vehicle Seasonal Use. In order to apply for a recreational vehicle seasonal use building permit, the proposed property must have limited seasonal access, from a class B county road, because of seasonal road closures due to lack of maintenance during the winter months and/or the condition of the county road. Such county roads may be posted "closed" and designated to provide ingress and egress for seasonal use only during portions of the year when weather conditions are favorable.
2. Building Permit. No placement or use of a recreational vehicle for longer than 16 days shall occur, except pursuant to a validly issued, unexpired and unrevoked building permit. Applicants for a building permit shall submit an approved final site plan, proof of proper sewage treatment or containment option, an approved culinary water source, and a 'cabin equivalent' solid waste service prior to obtaining of a building permit. The permittee shall proceed only in accordance with the approved building permit, and any approved conditions.
3. Sewage Requirements. The Southwest Utah Public Health Department and the Utah Department of Environmental Quality shall be considered the county's experts in evaluating the proposed sewage treatment system or containment option. It shall be the responsibility of the applicant to provide information and materials as required by the Southwest Utah Public Health Department, the Utah Department of Environmental Quality, as applicable, necessary to evaluate the proposed sewage treatment system.
4. Hauling of Water. The hauling of water as a proposed source of culinary water may be allowed for the establishment of a recreational vehicle seasonal use, and is thereby restricted by the approval of a recreational vehicle seasonal use for occupancy to a maximum of 180 days, or less, for each calendar year (see Section 15.06.030 for details on water hauling regulations/approval for culinary purposes). When water hauling is proposed, a recorded 'Declaration – Voluntary Deed Restriction for Hauling of Water Restrictive Covenant' is required.
5. Solid Waste Service. A residential solid waste service shall be required – the same as mountain cabin properties (five months service) + one-time trash can fee.
6. Space Rental Prohibited. Any compensation for placement of a seasonal use recreational vehicle requires it to be located in an approved 'Travel Trailer Park' permitted in accordance with Section 17.16.030.
7. Location and Setbacks. Any recreational vehicle space shall be located on the lot or parcel to be in compliance with all setbacks for the zoning district in which the lot or parcel is located.

17.36.236 Recreational Vehicle Space (17-180 days per year).

A. One single recreational vehicle space may be created on any legal lot of record in any of the following agricultural or residential zoning districts of the county (A-20, RA-20, RR-20, R-5, R-2, R-1, R-1/2) subject to the following:

1. Qualification for Recreational Vehicle Space. In order to apply for a recreational vehicle space, the proposed property must have an existing permanent residential dwelling located on the same property and have adequate space to accommodate a recreational vehicle space within the setback limitations for the zoning district in which the property is located. A recreational vehicle is not considered an accessory structure.
2. Administrative Land Use Permit Required. No recreational vehicle may be placed for use or occupancy on a recreation vehicle space unless an administrative land use permit has first been obtained.
3. Utility Requirements. The Southwest Utah Public Health Department and the Utah Department of Environmental Quality shall be considered the county's experts in evaluating the proposed water and sewage services for a recreational vehicle space. It shall be the responsibility of the applicant to provide information and materials as required by the Southwest Utah Public Health Department, the Utah Department of Environmental Quality, as applicable, necessary to determine the adequacy of any proposed utility connections for water and sewage.
4. Solid Waste Service. Proof of a residential solid waste service for the permanent residence on the property shall be required for the recreational vehicle space application and be considered adequate for the use of the recreational vehicle space.
5. Space Rental Prohibited. Any compensation for placement or use of the recreational vehicle on a recreational vehicle space in conjunction with a residential dwelling shall be prohibited.
6. Location and Setbacks. Any recreational vehicle space shall be located on the lot or parcel to be in compliance with all setbacks for the zoning district in which the lot or parcel is located.

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.

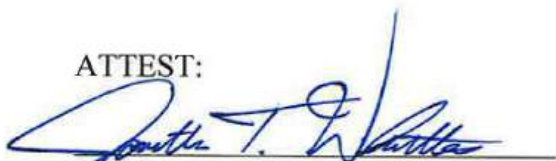
SECTION 7. Effective Date. This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code §17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 8th day of February, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak, Chair

ATTEST:


Jonathan T. Whittaker,
County Clerk



VOTING:

Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Aye </u>
Marilyn Wood	<u> Aye </u>

APPROVAL OF A LEASE AGREEMENT BETWEEN IRON COUNTY AND CEDAR CITY CORPORATION FOR APN: B-390 AND PART OF B-393-3, OR THE CEDAR CITY SENIOR CITIZENS CENTER

Marilyn Wood made a motion to approve a lease agreement between Iron County and Cedar City Corporation for APN: B-390 and part of B-393-3, or the Cedar City Senior Citizens Center. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented a pay rate adjustment for Sergeant Aaron Cheney, effective February 7, 2021. The proposed increase would be \$0.85 per hour. Michael Bleak noted that this increase was due to an oversight during a previous pay increase that was not implemented. Sergeant Cheney was not asking for any back-pay, only that the previously approved pay increase be applied. Paul Cozzens made a motion to approve the pay increase as explained. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-Delegated Items were discussed.

ADJOURNMENT

Michael P. Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael P. Bleak



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
FEBRUARY 22, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 22, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Karsten Reed	County Assessor
Dan Jessen	County Auditor
Shain Manuele	County Defense Attorney

Coordinator

Danny Stewart	County Economic Development
Jennifer Bradbury	County HR Director
Carrie Jeffries	County Recorder
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	8
APPROVAL OF MINUTES	2
DEPARTMENTAL REPORTS.....	2
FISCAL INCENTIVE GRANT FOR OHV TRAIL MAINTENANCE SHED	7
INDEGENT COMMISSION GRANT APPLICATION.....	5
INVOCATION	1
NON-DELEGATED ITEMS.....	8
PERSONNEL	7
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	5
PURCHASE OF A TYPE 6 FIRE ENGINE FOR BRIAN HEAD	7
SAFE YIELD AND PROPOSED GROUND WATER MANAGEMENT PLAN.....	5
TAX INCREMENT PAYMENT FOR SUNEDISON, PHASE 1 QUICHAPA CDA	7
TAX INCREMENT PAYMENT FOR THREE PEAKS CDA.....	6
TAX INCREMENT PAYMENT FOR UTAH RED HILLS CDA.....	6

INVOCATION

An invocation was offered by Gary Player.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meetings held January 25, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood.

DEPARTMENTAL REPORTS

Shain Manuele, Iron County Public Defense Attorney Coordinator, reported the court was still being held virtually. He had meetings with community partners involved with the court system to discuss having mock trials to experiment with hybrids of virtual and in-person trials. Everything thus far had been handled well with virtual meetings. The Judges had asked the Attorneys to look up cases that could possibly be tried virtually. It was a work in progress and the mock virtual jury trials may not begin until June or July.

Jonathan Whitaker, Iron County Clerk, reported that the office ended 2020 under budget. Jon reported that he and his staff were currently participating in training for the new Voter Registration Tracking Program. Illness had caused the Clerk's Office to not be at full staff. There had been an increase in Passport Applications and Marriage Licenses. He reported that 2021 had a positive start and looked forward to a great year.

George Colson, Iron County Emergency Management (EM) Manager, reported that the EM 2020 budget ended under for 2020. George gave a recap of the 2020 year in Emergency Management: Emergency Communication and CERT volunteers put in 1,373 hours. Iron County out-shines every county in Utah. COVID: George expressed appreciation to Iron County Auditor Dan Jessen and the Iron County Commissioners who stepped up and got ahead of other counties to receive help early. Iron County received \$5.8M from CARES and of that EM received \$654,711.92. EM was able to purchase 2-hand washing stations; 2-900 sq. ft. inflatable heated/air conditioned tents; 2- tent trailers; 1-36kw generator-tent support; 1-56kw generator-tent support; 1-34 ft. Mobile Testing station; 1-one-ton truck used for primary moving of the trailers and 5 electronic sign boards. PPE equipment was offered free from FEMA. EM had received 33,690 Masks, 35,300 Gloves, 110 point and shoot thermometers, 31,320 wipes, 646 gallons of hand sanitizer (including one 330 gallon), gowns, face shields, goggles, type-x suits and he continued to order to insure there was always a 35-day supply on hand. He reported that the EM served as the Iron County PPE primary contact for schools, businesses (22), Piute Housing Authority, Iron County Office's, Fire Department, Law Enforcement, DMV, Elections, and assisted the SW Health Department with vaccinations. Michael Bleak expressed his appreciation for all George had done with management of COVID for Iron county.

Danny Stewart, Iron County Economic Development Director, reported on the Utah Division of Workforce Services update for Iron County. Jobs: Between September 2019 and September 2020 Iron County created a net 83 nonfarm jobs for a growth rate of 0.4%; the postponement of the Utah Summer Games and the Utah Shakespeare Festival had a dramatic effect on leisure/hospitality service jobs, which slipped by 10% and 270 positions; fortunately, most industries add jobs, more than offsetting the aforementioned losses. Retail trade, manufacturing and construction generated particularly strong gains. Unemployment: Iron County reached their highest point in April 2020 at 9.3%. By December 2020, Iron County's jobless rate had ebbed to 4.5%, but remained higher than in the months preceding the pandemic; First-time claims for unemployment spiked in March 2020 after public health restrictions went into effect. Initial claims had since dropped and recently slipped below the levels measured during the recession; Leisure/Hospitality services showed the largest number of initial claims of unemployment; With the loss of so many low-paying jobs, the county average wage jumped 6% year-to-year. Building Permits: Dwelling unit permits increased by 54% through November 2020. Gross Taxable Sales: Sales surged through 2020 with an 18% year-to-year increase. Danny reported on an update to the Utah Inland Port Authority (UIPA)-Satellite Port: Representative from UIPA and Savage Services met with a number of businesses in Cedar City and St. George
February 22, 2020

to begin to determine the business case for a rail trans-loading facility in Cedar City. The Trans-Loading Company could operate independent of incentives. He reported on Business Recruitment in Iron County: GOEX building was under construction. The building was 125K Square Feet and could generate approximately 100 jobs; responding to RFI's from EDCUtah (mostly larger manufacturing companies) six had replied since the report in August; Small businesses looking at Iron County locations through direct contact were: Choffy, Geothermal project in Newcastle, New solar project near Utah Red Hills and a restaurant project. The Iron County Economic Development Board had added Mayor Geoffrey Chesnut of Enoch City to the committee. They were awaiting results of the legislative session to learn current status of the Rural County Grant Program and other potential rural programs that could benefit the Iron County Economic Development. Bills being watched were: SB194, Utah Main Street Program; SB65, Potential amendments to Title 17C on Community Reinvestment Areas and HB356, Rural Economic Development Tax Increment incentive at the state level. Danny reported that he was working with Nick Holt from the Cedar City Regional Airport on gathering leakage data and a marketing program along with Sky West. He finished by reporting that the iron mine was operational and shipping ore. He was going to schedule a meeting with Steve Gilbert to get a full update in the next few weeks.

Jennifer Bradbury, Iron County Human Resource (HR) Director, reported that the HR 2020 Budget finished under the established budget, closing 2020 at 87.89%. Jennifer reported that since the last HR report, HR had posted, interviewed, and hired for the following positions: 3 Full-time Patrol Deputy 1 and 2 Full-time Corrections Deputy 1 positions in the Sheriff's Office, 2 Full-time Legal Assistants in the Attorney's Office, 1 Full-time Deputy County Attorney, 1 Full-time Landfill Technician, 1 Full-time Chief Engineer, 2 Part-time DMV Technicians and several internal promotions within Iron County. Currently, HR was in the process of hiring for the following positions: 1 Full-time Roads Maintenance worker, 1 Part-time DMV Technician, 1 Part-time IT Technician, 2 Part-time Fire Chief positions in Beryl and Newcastle, 1 Full-time Deputy 1 position for the Sheriff's Office Patrol and 1 Full-time IT Web Developer/Technician. She reported that at the present time, HR was currently posting and recruiting for the following positions: 1 Full-time Landfill Technician, 1 Full-time Sheriff's Office/Building Department Code Enforcement Officer (fill internally) 1 Full-time Sheriff's Office Corrections Medical Technician Deputy, 1 Full-time Sheriff's Office Corrections Nurse, 1 Full-time Sheriff's Office Patrol Detective (fill internally), 1 Part-time Office Captain for the Beryl/Newcastle Fire Department and 1 Part-time Evidence Technician for the Sheriff's Office Patrol. Jennifer reported that currently, the employee turnover for the first few weeks of 2021 was 1.31%. Workers compensation Experience Modification Factor (E-mod) risk factor came in at .76 for 2021 which was up slightly from 2020. There was only one small unemployment claim in November and one claim in January. PEHP's overall medical loss ratio brought Iron County in a 74% (pending any new submissions) in 2020. The insurance open enrollment held in October was a success. Jennifer expressed her appreciation to Betsy Cummings and Carrie Christiansen for their dedication and attention to detail during the open enrollment process. They were great to meet with everyone face-to-face during the process, which made for an overall great employee experience. The Accident Review Board met a few weeks ago and was able to cover all accident claims in order to close out the 2020 year.

Paul Cozzens, Iron County Commissioner, reported that the Cedar City Senior Center remodel was moving forward. A Grand Opening was being planned for March 20th. April 5th was the scheduled date to re-open for business. Curtis Crawford noted that it would be a measured opening before a full open status. Paul read a statement that he presented over the phone at a Legislative meeting regarding HB281 "I need to give some background on this bill, HB281, about county development activity to clear the record. One of the most serious problems we see with this bill was its a bad law written to address one situation vaguely enough to hide its intent while creating other problems due to the vagueness of the bill. I've been told Steve Erickson is the author of this bill. He is a Conservation Lobbyist and stated in his Conservation News Letter this week that HB281 addresses local approval of Cedar City's Water Graph. Steve Erickson represents a number of conservation groups including the group which Beaver County hired to

oppose Iron County and our Water Development project. Even my friend, fellow Commissioner, Brian Whitney from Beaver County said in our February 3rd UAC Meeting that this bill's purpose was to make sure one county can't steal another counties resources. Iron County is already over \$600K into environmental studies to sustainably and responsibly bringing less than 4% of the rainfall from the uninhabited Pine Valley and Beaver County to the growing Cedar City area, 50 miles to the south. Utah water policies are clear that those who develop water resources and apply them to beneficial use in a sustainable way can use them in order of priority. Those that don't act and complain in times of shortage when the early birds are given priority. Those of you along the Sevier River know how 100 years ago Delta filed on lots of those rights and still reap those benefits today. Those of you along the Wasatch Front can thank your forebears for importing water for this morning's shower and shave. Utah's way is, and always will be, to award those that find ways to use water before Mother Nature takes it back to the sky and falls elsewhere. When it comes to HB281 the purpose seems to circumvent a legal agreement signed by Beaver County in 2019 which allows Iron County access to those water rights in Beaver County, which were never filed on or developed locally in over 100 years. Iron County spent almost 15 years and over \$1M in legal fees to work through issues of priority and beneficial use in relation to Beaver County. We believe Beaver County has conscripted the Legislature and radical environmental groups to help them violate their signed agreement. Our own county issues aside, this bill will lead to dozens of law suits throughout the state regarding development of infrastructure and utilities across county lines and will create an environment where only the lawyers win. As County Commissioners we suggest we oppose this bill." Paul reported that the bill was voted on in the UAC meeting and if his memory served him right it was by 70% to 30% to vote to oppose this bill. He noted that he believed that the bill was dead. He served on the Central Iron County Water Conservancy District (CICWCD) for about 8 years and was involved with this law suit between SITLA, Utah Alunite, Iron County and Beaver County and we did come to an agreement in 2019 and signed the agreement with Beaver County, SITLA and Utah Alunite.

Marilyn Wood, Iron County Commissioner, reported that she called a water meeting with local farmers and ranchers and the CICWCD on Tuesday. There was a good turnout for the meeting. After the meeting, she met with some of the Sheep men who were concerned with the designated livestock trail in Cedar City and the need to keep it open when bringing sheep off the mountain. The sheep and cattle use the trail to come off the mountain in the fall. Marilyn noted that in the past the Cedar City Police Department had helped direct traffic during the crossing of sheep. The sheep-men had never thought to ask the Iron County Sheriff Department for help. She noted she contacted the Sheriff's Office and they said they would love to help. The extra help would help solve issues with pedestrians and drivers. Marilyn reported that she had been following in the legislature: HB92 regarding children's sex changes. There was a hearing to protect the rights of children regarding sex change hormone therapy. Representative Rex Shipp spoke behalf of the bill. Rex had done a lot of work on protecting those children and Marilyn hoped he would continue. Another bill she had been watching was HB295 sponsored by Casey Snyder regarding Legislation to regulate the number of personal trail cameras that hunters put up. She stated at one time there were 18 cameras placed around one of the water holes on her BLM allotment. Another part of the bill was regarding baiting of prey animals. She expressed that the trail cams harass wildlife and livestock. Marilyn reported that she met with Bruce Anderson (Iron County Landfill Supervisor). Bruce explained how the Landfill worked together with other entities and counties to help with trucks and equipment. Jon Whittaker explained that Bruce partnered with the Iron County Fire Warden Ryan Riddle to use the Landfill billing to print fire information on the back of the bills. Paul Cozzens asked what was happening with whether to start billing online. Jon Whittaker noted that was a subject for Nicole Rosenberg, the County Treasurer.

Michael Bleak, Iron County Commissioner, reported that he had been working closely with Danny Stewart on the Economic Development Committee regarding interviews with local businessmen. He noted that it was encouraging to see their face light up when they discussed the needs regarding import and exports. Mike reported he had been working closely with HR, Ryan

Riddle, Chief Peterson (Newcastle) Chief Bosshardt (Beryl) to get a part-time position up and running. Mike reported on HB220. He explained that last year the legislature enacted HB220 that was a bail reform bill that took bail out of hands of judges. Now if someone was arrested and a bail was set and that person did not have the bail money they were released on an honor system to come back. Iron County had found that once the criminal was released under their own recognizance they would turn around and commit worse criminal offences. The Sheriffs and Police, along with the State Sheriff and Police Association had been working hard to get HB220 repealed. He reported that was making it though the House process was HB367 which would remove qualified immunity from Law Enforcement (LE) Officers. He explained that if an LE Officer was involved in anything tedious the county/city would not cover their insurance. The LE Offices would have to pay a bond to become a Police Officer or get their own liability insurance. Recruitment at this time has become very hard and if HB367 passes it would make it nearly impossible to recruit any LE. Representative King was the sponsor of the bill and admitted that he "just wanted to test the waters." This may not be passed now, or for a couple of years, but it could be coming down the road.

DISCUSSION AND POSSIBLE APPROVAL OF A GRANT APPLICATION FOR AN INDIGENT COMMISSION GRANT (COVID RELATED EXPENSES)

Shain Manuele, Iron County Defense Attorney Coordinator, explained that the grant would be used to purchase new computers for the attorneys. The Courts had issued an order to have all Attorneys have an efficient and capable laptop computer. The computers would be funded by the state and they would stay in Iron County. There would only be county information/defender data allowed on them. The Grant was for \$9,995.82. Paul Cozzens made a motion to approve a Grant Application for an Indigent Commission Grant in the amount of \$9995.82. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, stated that he was concerned with the inconsistency of the Zoning Laws and that they should be reworded.

Butch Crammer, a citizen of Iron County, stated that he was concerned with the on-going water issues in Parowan. He was frustrated on how the state could come in and take water away from property owners and there needed to be a permanent solution to the problem.

DISCUSSION REGARDING SAFE YIELD AND A PROPOSED GROUND WATER MANAGEMENT PLAN

Roice Nelson, representing himself, Gary Player, and other Geologists, explained that his purpose in speaking at this meeting was to help Iron County counteract the Ground Water Management Plan. Roice noted that he owned three companies involved with safe yield Walden 3-D, Inc. a Consulting Company; Dynamic Measurement LLC, creating a new branch in the geophysical services industry and Dynamic Resources Corporation, a virtual natural resource exploration company. He explained that under UCA 73-5-15 the definition of 1. (a) Critical management area as a groundwater basin in which the groundwater withdrawals consistently exceed the safe yield; (b) Safe Yield as the amount of groundwater that can be withdrawn from a groundwater basin over a period of time without exceeding the long-term recharge of the basin or unreasonably affecting the basin's physical and chemical integrity. 2 (b) The objectives of a groundwater management plan are to: (i) limit groundwater withdrawals to safe yield; (ii) protect physical integrity of the aquifer; and (iii) protect water quality. He reported that the current law had created an important issue based on the definition of and water use associated with Safe Yield. The new Cedar City Valley Aquifer Management Plan states that currently approved water rights would allow up to 50,000 Acre Feet (AF)/year of well depletion, while the current well depletion was 28,000 AF/year. In contrast, the Management Plan states that Safe Yield of the aquifer system (the amount of depletion that should be allowed) was only 21,000 AF per year. All of these numbers in the Management Plan were based on models. However, the

assumptions behind the models were suspect. There was a great difference between the amounts of water utilized by plants in swamps and by vegetation in the semiarid lowlands of Cedar Valley. Roice explained that Lynette E Brooks and James L. Mason of the U.S. Geological Survey reported in Scientific Investigations Report 200—5170 that after evapotranspiration “recharge to the unconsolidated basin fill is estimated to be about 42,000 AF/year.” Their estimation was based on a very complex mathematical model utilizing years of water level measurements made by Jim Howells and other. No model information was provided from the State Engineer that justified the current reduction of Safe Yield to half of the 2005 number. He went on to report recharge to the unconsolidated basin fill was by seepage from unconsumed irrigation water, streams, and precipitation, and by subsurface inflow from consolidated rock and adjacent areas, and was estimated to be about 42,000 AF/year. done in 2005.” After continued discussion, Roice stated that the Cedar City Valley Groundwater Management Plan was adopted by the Utah Department of Natural Resources on January 11, 2021. The adoption of the plan was subject to Utah Code Section 73-5-15, which allowed an individual to challenge any aspect of the plan by filing a complaint in the appropriate district court within 60 days after the date of the notice. In response, Roice Nelson, David Anning, and Gary Player had discussed the following recommendations: 1. Cedar City, Enoch City, Kanarrville and Iron County should file a lawsuit questioning the estimated Safe Yield; 2. Professional geologists in Iron County should be hired by Cedar City and/or Iron County to review the basis of the Safe Yield estimation and provide specific recommendations; 3. Cedar City, Iron County, and UDOT should authorize and fund exploration and development of bedrock aquifers that surround the Cedar City Valley and were within the Cedar Valley drainage basin. Existing water rights could be moved from the valley to the highland areas, reducing water usage that has caused drawdown and settling.

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

Michael Bleak, 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 PAYMENT FOR THREE PEAKS COMMUNITY DEVELOPMENT PROJECT PLAN AREA (CDA) FOR 2020

Danny Stewart, Iron County Economic Development Director, explained the next three agenda items were listed as separate items, but they were all Solar Companies requesting Tax Increment payment per their Community Development Area plans. He reported that the Tax Increment Payment was reviewed each year and brought before the commission for approval based on documentation showing they were in compliance with their Conditional Use Permit (CUP), in operation as agreed to in the agreement, and on time with paying their taxes. The reimbursement, based on incremental growth with the percentage of taxes paid based on size of the Solar project, for the Three Peaks CDA Project Plan was \$737,920.56. Marilyn Wood made a motion to approve the Tax Increment Payment for the Three Peaks CDA Project Plan for Year 2020 in the amount of \$737,920.56. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR UTAH RED HILLS COMMUNITY DEVELOPMENT PROJECT PLAN AREA FOR 2020

Danny Stewart explained that the Red Hills Community Development Project Plan Area was in Year 3. The reimbursement requested was \$593,362.76. Paul Cozzens made a motion to approve the Tax Increment Payment for the Utah Red Hills Community Development Project Plan Area for Year 2020 in the amount of \$593,362.76. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR SUNEDISON, PHASE 1 (QUICHAPA) COMMUNITY DEVELOPMENT PROJECT PLAN FOR 2020

Danny explained that the SunEdison, Phase 1 (Quichapa) Community Development Project Plan Area was in Year 3. The reimbursement requested was \$77,767.94. Marilyn Wood made a motion to approve the Tax Increment Payment for the SunEdison Phase 1 (Quichapa) Community Development Project Plan Area for Year 2020 in the amount of \$77,767.94. Second by Paul Cozzens Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the adjournment of the ICCD&RA and the reconvening as the Iron County Commission.

DISCUSSION AND POSSIBLE APPROVAL TO FINANCIALLY PARTICIPATE IN THE PURCHASE OF A FIRE TRUCK FOR BRIAN HEAD TOWN THAT WILL ALSO BENEFIT THE UNINCORPORATED AREAS

Michael Bleak, Iron County Commissioner, explained that Brian Head was in a need of a Type 6 Engine Fire Truck (Brush Truck) that was able to respond to smaller fires and easier access. Brian Head had been in discussions for a couple of years with Iron County about the purchase of the Type 6 Engine (smaller load on a pick-up chassis, "Brush Truck") and had raised more than half the needed amount. Brian Head was short \$45K and has asked Iron County to help. Brian Head had a Type 4 Engine (larger water tank and smaller pump) and would give that to Kanarraville Town (who was in need of a Type 4 Engine). Kanarraville had a Type 6 Engine and would give it to Newcastle/Beryl (who were in need of a Type 6 Engine). All of the Town Councils were in agreement of the exchanges. Mike reported that there were available funds in the Trust Accounts to cover the remaining cost of the Type 6 Engine for Brian Head. The truck that Brian Head would be getting was a show room model and were getting a great discount on it. Paul Cozzens made a motion to approve financial participation in the purchase of a Type 6 Fire Truck for Brian Head Town that would also benefit the unincorporated areas of Iron County in the amount of \$45K.

Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

COSIDERATION AND POSSIBLE APPROVAL OF FISCAL INCENTIVE GRANT FROM THE STATE DIVISION OF PARKS AND RECREATION, COLOR COUNTRY OFF HIGHWAY VEHICLE (OHV) TRAIL MAINTENANCE SHED (FIG FY21 Q3-JAN 46)

Mike Worthen, Iron County Natural Resource Management Plan Director, explained that the Incentive Grant was from the State Division of Parks and Recreation for a Color Country OHV 20'X20' prefabricated trail maintenance shed. The shed would be placed on the Iron County Roads Department grounds on Bulldog Road and Kitty Hawk Road in Cedar City. Mike reported that the shed would be used to work on the OHV trail equipment, signs, markers, and to store small equipment used for trail maintenance. The application was approved and now the contract needed to be approved. Marilyn Wood made a motion to approve the Fiscal Incentive Grant from the State Division of Parks and Recreation for a Color Country OHV 20'X20' prefabricated trail maintenance shed. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Liz Valo as a Part-Time DMV Technician, effective March 1st. This was a backfill of a vacant position. Paul Cozzens made a motion to approve Liz Valo as a Part-Time DMV Technician, effective March 1st. This was a backfill of a vacant position. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Discussion and possible approval of departmental structure in the Assessor's Office:

Karsten Reed, Iron County Assessor, gave an overview of the changes he was proposing in the Assessor's Office. There had been some losses of tremendous employees in the Assessor's Office. Those employees could not be replaced with all the knowledge and experience that they took with them, but there could be an increase in efficiencies within the office. He requested that the following 3 positions be created within the Assessor's Office (to be filled in-house): Lead Statistical Appraiser, Lead Farmland Assessment Act FAA (Greenbelt) Land Appraiser and Lead Personal Property Appraiser. Pay increases would depend on which employee applies for the positions. With the three new positions efficiency would increase in the office. Marilyn Wood made a motion to approve 3 new positions: Lead Statistical Appraiser, Lead FFA Land Appraiser and Lead Personal Property Appraiser to be created in the Assessor's Office to be filled in-house. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented approval of an Elected Official supervision of the Children's Justice Center (CJC). Paul Cozzens made a motion to approve to have Elected Official (Iron County Attorney) supervision of the CJC and to assign Marilyn Wood to be the Iron County Commission Liaison for the CJC. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented a status change for Wayne Peterson as a Part-Time Newcastle Fire Chief, effective February 22nd, and a status change for Vernon Bosshardt as a Part-Time Beryl Fire Chief, effective February 22nd. These were new positions. Marilyn Wood made a motion to approve Wayne Peterson as a Part-Time Newcastle Fire Chief, effective February 22nd, and Vernon Bosshardt as a Part-Time Beryl Fire Chief, effective February 22nd. These were new positions. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire of Erwin Figueroa-Granados as a Part-Time IT Technician, effective February 22nd. Paul Cozzens made a motion to approve new hire Erwin Figueroa-Granados as a Part-Time IT Technician, effective February 22nd. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire of Trevor Johnson as a Full-Time Roads Maintenance Worker, effective February 22nd. This was a backfill of a vacant position. Marilyn Wood made a motion to approve the new hire of Trevor Johnson as a Full-Time Roads Maintenance Worker, effective February 22nd. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the new hire of Skyler Davis as a Full-Time Deputy 1 in the Sheriff's Department, effective March 8th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve the new hire of Skyler Davis as a Full-Time Deputy 1 in the Sheriff's Department, effective March 8th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

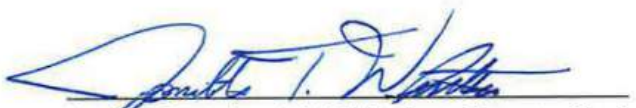
No Non-delegated items presented.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

MARCH 8, 2021

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 8, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilynn Wood	Commissioner-Excused
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Chad Dotson	County Attorney
Karsten Reed	County Assessor
Dan Jessen	County Auditor
Ryan Riddle	County Fire Warden
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer
Maria Twitchell	County Tourism/Parks Director
Jennifer Bradbury	County HR Director

SYNOPSIS

ADJOURNMENT	8
APPROVAL OF MINUTES	2
CJC SERVICES PRESENTATION.....	8
CONTINUED TAX EXEMPTION REQUESTS FROM 2020	7
COOPERATIVE FOREST ROAD AGREEMENT.....	7
DEPARTMENTAL REPORTS.....	2
INVOCATION	2
NON-DELEGATED ITEMS.....	8
OUTDOOR BURNING DISCUSSION	6
PERSONNEL	8
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	5
PUBLIC HEARING REGARDING A PROPOSED MINOR SUBDIVISION	5
PUBLIC HEARING REGARDING A POSSIBLE ZONE CHANGE (APN: D-518-1).....	4
PUBLIC HEARING REGARDING A POSSIBLE ZONE CHANGE (APN: E-166)	5
TAX ABATEMENTS FOR VETERANS PROCESSED SINCE DECEMBER 7, 2020	7
TAX FORGIVNESS REGARDING APN: D-518-28-1	8
UPDATE ON THE NEW VISITOR CONTACT STATION AT CEDAR BREAKS	6

INVOCATION

An invocation was offered by Sheriff Ken Carpenter.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Sergeant Aaron Cheney.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held February 8, 2021. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

Michael Bleak, Iron County Commission Chair, excused Commissioner Marilyn Wood for personal reasons.

DEPARTMENTAL REPORTS

Kenneth Carpenter, Iron County Sheriff, reported on current Law Enforcement (LE) issues: Cedar City Police Department (CCPD) responded to a homicide/suicide on January 27th which the Sheriff's Crime Scene Investigator (CSI) processed the crime scene as the Cedar City CSI was out with COVID; CCPD responded to an aggravated assault on February 14th. A pursuit resulted in an Iron County Sheriff Office (ICSO) Deputy utilizing a Pursuit Intervention (PIT) maneuver to stop the suspect vehicle after it had rammed two other vehicles. After the suspect attempted to run officers down with his vehicle, officers fired at the vehicle. An ICSO used his vehicle to block the oncoming vehicle in an effort to preserve life. The officers and deputies then rendered medical aid to the suspect and assisted in his transport to the hospital. The suspect was currently incarcerated at the Iron County Correctional Facility; Cedar High School had a bomb threat and an active shooter threat the following day that the ICSO assisted the CCPD; there was a body recovery in Cottonwood Canyon area north of Paragonah by the Search and Rescue; a monthly leadership course had been initiated in the Sheriff's Office to help develop deputy and civilian staff leadership potential, which had been well received; the Awards Program was complete and the first recognition dinner would be held later this month; deputy training had been changed from block training to incremental training. Sheriff Carpenter reported that 2020 ended with 1 Homicide, 7 Rapes, 14 Assaults, 40 Burglaries, and 60 Larceny/Thefts. He reported on the current strength of the Patrol: there were currently two new Deputies in Field Training Officer (FTO), two new hires in Peace Officer Standards Training (POST), and one pending POST. Sheriff Carpenter expressed his appreciation to the Iron County Commissioners for the help they had given to replace vehicles over the past two years. He reported that the ICSO had visited Kane, Cache, and Beaver County's jail facility and would be visiting Purgatory Correctional Facility in Hurricane on Wednesday. Ken noted that he would like to set up the next committee meeting within the next couple weeks and would be reaching out to the committee members to arrange a time and date.

Dan Jessen, Iron County Auditor, reminded the Iron County Commissioners that a line item needed to be added to the Commission Agenda's regarding the approval of Warrants or Checks during commission meetings. He noted that although it was listed on the agenda, it needed to become a line item and have a motion to approve to conform with the audit request. Dan asked the commissioners if there was any further action or clarification regarding moving the Children's Justice Center (CJC) under the Iron County Attorney's Office. He noted that the purpose for action was how to proceed with payroll and acquisition. Michael Bleak noted that there had been no further discussion and he would meet with Marilyn Wood to clarify and get back with him. Dan reported that Iron County needed better oversight regarding appointed department heads being assigned to sign their own timecards and reimbursements. There had been no one with oversight in this regard. He suggested that oversight be given to another elected official or a commissioner. Dan reported on legislative bills that he had been following: Senate Bill (SB) 52 Property Tax Deferral Modification did not pass; SB26 Property Tax Relief Amendment passed; SB201 Public Notice Amendment passed; SB65 CRA Amendments passed; House Bill (HB) 416 Local Tax Sale Online passed; HB128 Local Accumulative Fund Balance Amendment passed. Dan reported that Christene Lowder, Chief Deputy Auditor, had announced her retirement effective July 1st. With the retirement of Christene, the office would lose a great deal of knowledge and experience, and he would be asking for a one-time budget adjustment. Dan noted that this was a

good time for a discussion for the opportunity rearrange office staff and to overhaul the grant process and involve project management software. He explained that he would like to have one employee follow the software from the start to finish. Internal auditing would need to be an addition with a part-time person to take half accounts payable, shift August to cover grant writing, and hire a full-time person with an Auditor degree.

Maria Twitchell, Iron County Executive Director of the Cedar City Brian Head Tourism Bureau, explained that there would need to be a budget adjustment in tourism due to a contract mail fulfillment through SUU which would result in the postage budget needing to be amended. Also, the dues budget would need to be adjusted due to keeping a software program that tracked the short-term rentals. The report had continued to be valuable, reflecting the true impact short-term rentals were having on the visitor economy, particularly with the surge of properties purchased during COVID-19. Short-term rentals in Iron County increased from 834 to 2,231. Maria reported that the Transient Room Tax (TRT) ended slightly up for 2020 and Restaurant Tax was up 7%. Occupancy actually ended 2020 about the same as 2019 and the Average Daily Rate (ADR) ended at -3.4%. The Tourism Bureau was awarded an Utah Office of Tourism (UOT) Grant for winter marketing that with all partners contributing equaled \$404K in advertising this winter season; and another UOT Grant for \$96K that would help advertise in the off season. She reported that they were incredibly busy with spring and summer campaigns. Residents and travelers would begin seeing billboards along I-15 and I-70 from Las Vegas to Layton. Also, radio in Las Vegas and KSL in the Wasatch Front, as well as video ads through online streaming through Roku, Apple TV, Prime, etc. Media wise, there had been some major media hits in 2021 including Outside Magazine and Thrillist with an estimated media value of \$317,692. The Iron County Tourism Advisory Board met and made several recommendations for event funding which included funding for: the Iron County Fair, Cedar City Rotary Foundation-July Jamboree, Southwest Tech Food Festival, Cedar City Airport marketing, Parowan Chamber, Red Acre Farm Conference, Cedar City Lions (Stampede), Cedar Livestock Festival, Rock & Gem Show, Utah Summer Games Iron Festival, Cairn Conference, Youth Enduro, Wine Festival, Fire Road, We Rock, Orchestra of Southern Utah, Red Rock Film Festival, Home Builders Festival of Homes and Utah Wine Trail. Maria reported that Baseball and Softball Tournaments brought over 900 teams in 2020 to Iron County. There would be a tournament every weekend, except July 4th and 24th, beginning April 25th through mid-October. Brian Head Resort opened their season on Friday, November 20th. The ski season had been record breaking with 195,765 skier days to date.

Maria explained that she had not received an expense budget report for Outdoor Recreation from the auditor to report on. She expressed appreciation for the space in the old road/weed building that had allowed some inside projects (construction of new shade structures for the Shooting Range). The requests to use one section of the Shooting Range for special events had increased, but there was a \$500 special event fee due to having to close the park. She explained that she had been working on a better way to manage this and would be presenting the commission with a new fee structure in the future for the Shooting Range so it could be more user friendly for events and classes. Maria reported on events being held at Iron County Parks in 2021: Intermountain Cup Bike Race-May (100 riders); WeRoc Rock Crawling-May; Utah Summer Games-June; UFO Festival-August (250 participants); Rock Crawl (new)-August; Belgium Waffle Ride-August; OHV Race (new)-September; Cedar Half Marathon-September (1200 participants); and the High School Mountain Biking Regional Races (High School and Junior High teams)-September (1,500 participants and October (800 Participants)-Iron County would be vying to be the host location for State Championship Mountain Biking. Outdoor Recreation ended 2020 with \$12,250 in camping, special events and pavilion reservations, up from \$2,481 in 2019. She reported that Woods Ranch had been busy despite not having a lot of snow. There were a few calls from the emergency phone over the Christmas holiday with two major back injuries. Before the snow came, someone drove on the meadow and tore it up pretty bad, so some work would have to be done to keep vehicles off the meadow. The Ice Rink maintenance by the Yeti group had been minimal due to the warm weather making it impossible to skate in February. She would be ordering a new vault toilet for Woods Ranch to be placed in early summer. Maria closed by reporting that they would be hiring a seasonal employee in April, who would be shared one day a week with Mike Worthen on OHV trail maintenance.

Shalon Shaver, Iron County Corrections Commander, reported that the budget was at 16% used. Current revenue 2021 received was \$111,688. There was an unexpected increase in costs of gloves and paper products due to COVID-19. Lieutenant Shaver reported that there were 260 total bookings in the 1st Quarter. The average daily population at the Iron County Jail was 111 Males, and 19 Females. Currently there were 11 State and 27 Federal Inmates. She reported that there were 55 total Inmates transported and 398 total Video visits in the 5th District Court, 27 in Iron County Justice Court, 62 in Federal, 18 Other and 43 Attorney phone visits from booking. Lieutenant Shaver reported that the Work Crew put in a total of 920 hours in 2020: 182 hours at the Jail, 226 for the Iron County Fair, 162 at the Iron County Shooting Range, 97.5 for the Road Department, and 252.5 for Parowan City. There were currently 3 Vacancies, 2 new hires, and 28 Long-term leave: 1 active full-time military, 1 military DC, 4 FMLA cases, and 22 COVID-19 cases with quarantine. Future planned projects and expenditures: sewer-inline grinder, J-block door, medical department expansion, and jail tours in regards to the new jail planning.

Paul Cozzens, Iron County Commissioner, reported that Carter Enterprises, Inc. was nearing the completion of the Cedar City Senior Center expansion. Paul reported that he met with Richard Wilson, Iron County Engineer, Craig Laub, Utah Department of Transportation (UDOT) Representative, Scott Stubbs regarding different recharge projects that Iron County would like help with. He reported that he had been working with Joyce Evans, Iron County Fair Manager, on improvements to the Fair Grounds. Chad Nay had inspected the old grandstands 5 years ago, and had then reported that they had approximately 5 years left of safe use. The 5 years was up and the old grandstands would need to be torn down and replaced with new grandstands. He had met with the Iron County Building Department to issue a Request for Proposal (RFP) for an approximate 34'x153 slab with a cover, which would match what was currently there. There would also be a 50'x70' metal building added at the south end of the fair building for storage. Paul reported that he had met with UDOT and Rich Wilson regarding roads. UDOT would be adding a passing lane by Woods Ranch beginning next year. The passing lane would begin at the SUU College Cabin to the Cedar Canyon Camp Ground.

PUBLIC HEARING FOR CONSIDERATION AND POSSIBLE APPROVAL OF A ZONE CHANGE FOR PROPERTY CURRENTLY ZONED AGRICULTURE 20 (A-20 TO RESIDENTIAL 2 ACRES (R-5) APN: D-518-1

Reed Erickson, Iron County Planning/Services Coordinator, explained the requested zone change was from Agriculture 20 (A-20) to Residential 2 (R-2) not R-5 as listed. The property is located near Midvalley Road and Lund Hwy, Cedar City, approximately 42.48 acres located within the SW ¼ Section 8, T35S, R11S, SLB&M, APN: D-518-1. It was currently zoned A-20 similar to property on the North and East sides, adjacent to A-20, R-2, and R- ½ zoned property. The Belt Route Master Plan allowed for transportation 100' on the West side and Lund Hwy 75' on the East side. Power would be supplied by Rocky Mountain Power (RMP), sewer was too far West to connect and was approved for septic, and water would be provided by the Central Iron County Water Conservancy District (CICWCD), with both culinary and fire-flow. The applicants were Garth and Kerry Jones. Reed reported that after discussion and consideration, the Iron County Planning Commission recommended approval of the zone change.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding the proposed zone change.

Volney Morin, a citizen of Iron County, reported that he had continued concerns regarding water availability and what mechanism was in place to say when there was not enough water available. Paul Cozzens explained that water rights had to be proven with the application for development. Mr. Morin asked what was in place for communication between the water board and the Iron County Commission to make sure the water rights were being upheld. Reed explained that the CICWCD provided a letter to the Planning Commission to show an agreement was made and the CICWCD was willing to serve the subdivision. Michael Bleak declared the Public Hearing closed. Paul Cozzens made motion to approve the proposed zone change for property currently zoned Agriculture (A-20) to Residential 5 (R-2) regarding APN: D-518-1 as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

PUBLIC HEARING FOR CONSIDERATION AND POSSIBLE APPROVAL OF A ZONE CHANGE FOR PROPERTY CURRENTLY ZONED AGRICULTURE 20 (A-20) TO LIGHT INDUSTRIAL (LI) APN: E-166

Reed Erickson explained that the subject property was located at approximately 530 North 5660 West, Cedar City, and contained approximately 28 acres located within the SE ¼ Section 2 & NE ¼ Section 11, T36S, R12W, SLB&M. The applicant was WeMFG c/o Carl Thompson (represented by Iron Rock Engineering). The property was currently zoned A-20, similar to property on the North and West sides, and adjacent to A-20, LI, and Cedar City I&M 1 on the East side. Access for transportation was available on the South from Iron Springs Road and the easement along the West property line. Power would be supplied by Rocky Mountain Power, approved for septic, and water would be supplied by CICWCD (culinary & fire-flow). Reed explained that this was within the Port 15 industrial area and Cedar City had approved Light Industrial. Light Industrial was under lighter usages and industrial (compressors, cutting, etc.) work was performed indoors. He reported that after consideration and review, the Iron County Planning Commission recommended approval. Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding the possible zone change. No public comments offered. Michel Bleak declared the Public Hearing closed. Paul Cozzens made a motion to approve the zone change for property currently zoned Agriculture 20 (A-20) to Light Industrial (LI) regarding APN: E-166 as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

PUBLIC HEARING DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED MINOR SUBDIVISION, GARTH & KERRY JENSON MINOR SUBDIVISION-8 LOTS, APN: D-518-1

Reed Erickson explained that the property was located near Lund Highway & Midvalley Road, contained approximately 79.41 acres, located within the SW ¼ Section 8, T25S, R11W, SLB&M, Iron County, APN: D-518-1. The lots were being created on west side that would require Right-of-Way (ROW) for the belt route in future. The lots had a narrow frontage but they were longer lots. Reed asked that when making the motion the following 3 variations be included, 1) Width of Lund Hwy. Reed explained that Lund Highway was shown on the master plan 100' Right of Way (ROW) on the Cedar City master plan and Iron County had adopted from the Cedar City master plan. It also showed Midvalley Road as a 100' master plan ROW. It would be difficult to go from four lanes on a 100' ROW to a 66' ROW as it goes North of Midvalley Road. The ICPC reviewed and discussed the ROW and recommended a 75' ROW; 2) that the subdivision be exempt from the requirement of street lighting; 3) that the approval be conditional subject to a signature on the bonding process.

Michael Bleak, Iron County Commission, declared the Public Hearing open regarding the proposed Minor Subdivision. No comments were offered. Michael Bleak declared the Public Hearing closed. Paul Cozzens made a motion to approve the proposed minor subdivision, Garth & Kerry Jenson Minor Subdivision-8 Lots regarding APN: D-581-1, with the 2 variations and one condition as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, reported that, upon trying to refinance, he discovered that property (1.5 acres) he owned that was still under the old owner, who was deceased, under the zoning map. The property tax notice showed that there were taxes owed for 5 years under the old owners' name. Mr. Pressgrove stated that he had been paying taxes on the property since he purchased the property. He reported that there were 2 dairies zoned differently and should be zoned the same. Bill reported that there were two parcels in Iron County that were not zoned.

DISCUSSION REGARDING OUTDOOR BURNING REFERENCE UCA 65-8-211

David Bosshardt, a citizen of Iron County, noted that he resided in Beryl on a 600-acre alfalfa field. David reported that on March 3rd he went online to acquire a burning permit to burn weeds along the fence and discovered that Iron County did not start issuing permits until March 15th, which was too late for what he wanted to do. The Beryl Fire Chief informed him that he would need to contact Ryan Riddle. David noted that when he called Ryan his temper was up and probably didn't treat Ryan very well. Ryan told him that he could not burn so he called the Utah Farm Bureau and was told, according to state law, he could burn on agriculture land without a permit at any time. He was sent the law reference UCA 65-8-211 asked Mike Edwards, Iron County Deputy Attorney, to read it and interpret what it said regarding outdoor burning, if state law over rides county law. The state law says one can get a burning permit could be obtained beginning March 1st.

Ryan Riddle, Iron County Fire Warden, gave a brief history on the fire burning dates. Ryan reviewed Utah State Code relevant to Wildland Fire: Code 65A-8-201 Uncontrolled fire is a public nuisance; Code 65A-8-202 Fire Control – County responsibilities: (1), (3)-a; Code 65A-8-202 (6); Code 65A-8-211 Closed Fire Season-Notice-Violations-Burning Permits-Personal Liability-Exemptions from burning permits 1(a) ,6(a)(i)(ii)(iii). Iron County Code & Ordinance regarding Wildland Fire: Iron County Outdoor burning dates March 1st – November 15th with a permit. Outdoor burning is closed November 15th through the last day of February. “Iron County desires to allow residents, visitors, commercial, and agriculture industries to burn materials allowed by state law when environmental, safety and regulatory conditions are appropriate. Statutory closed fire season burn permits are required from the fire warden from June 1 through October 31.” Mr. Riddle explained that when the ordinance was developed, it was developed to encourage citizens to use fire as a tool, rather than simply allow burning during a 1-month period when conditions might not be favorable, they extended the burning days by 44 days from March 1 to November 15th, with the intent to burn when conditions were safe. He noted that they had to meet the State Laws. One of those was Air Quality. Unfortunately, no one was exempt from the Air Quality rules. When he issued a burn permit, he had to meet the air quality rules. Ryan reported that the ordinance defined the opening day for a burn permit as March 1st. On March 1st there was some type of glitch in the Utah Department of Environmental Quality (DEQ) System, which manages the air quality index, and for some reason the system did not turn on. As a result of that glitch, Mr. Bosshardt could not be issued a burn permit. He said that when he called the DEQ and asked why site was reporting Iron County burn permit started on the 15th and they did not have an answer. He wrote a letter to have the site turned back on, and he contacted Iron County IT and asked if they would resolve the problem with “Quick Link” and they said it would be corrected by today. Mr. Bosshardt was very upset when he contacted him. He said he was able to resolve the issues with DEQ. and he personally delivered a burn permit to him, which was good for three days. Each permit that was issued was only good for three days.

Scott Stubbs, Iron County Farm Bureau, explained that Mr. Bosshardt wanted to do everything correct but the system failed. He was not trying to break the law. The system was broken and it was not his fault. Ryan noted that he would work closer with the Farm Bureau. Mike Edwards noted that he would be willing to meet with those present and discuss the conflicting statutes with Mr. Bosshardt.

UPDATE THE COMMISSION ON THE CONSTRUCTION STATUS OF A NEW VISITOR CONTACT STATION AT CEDAR BREAKS

Michael Bleak, Iron County Commission Chair, declared the item tabled and directed that it be brought back at a later date.

DISCUSSION AND POSSIBLE APPROVAL OF EXTENDING A COOPERATIVE FOREST ROAD AGREEMENT BETWEEN IRON COUNTY AND THE USDA FOREST SERVICE, DIXIE NATIONAL FOREST

Jon Whittaker explained that this was an extension of an existing contract. It would extend the expiration date from April 13, 2021 to January 5, 2022. This contract reimbursed Iron County for maintenance work on roads that fall within the Dixie National Forest. Paul Cozzens made a motion to approve the extension of a Cooperative Forest Road agreement between Iron County, the USDA Forest Service, and Dixie National Forest from April 13, 2021 to January 5, 2022. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

CONVENE AS THE BOARD OF EQUALIZATION (BOE)

Michael Bleak, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the BOE.

REVIEW FOR APPROVAL OR DENIAL APPLICATIONS FOR CONTINUED PROPERTY TAX EXEMPTION AND NEW APPLICATIONS FOR PROPERTY TAX EXEMPTION WHICH HAVE BEEN SUBMITTED BY RELIGIOUS EDUCATIONAL A CHARITABLE ORGANIZATIONS REQUESTING TAX EXEMPT STATUS OR PERSONAL OR REAL PROPERTY FOR THE 2020 TAX YEAR

Christene Lowder, Chief Deputy Auditor, explained that the applications for property tax exemptions and new applications for property tax exemptions had been submitted by religious and charitable organizations. The list under "2021 Applications for Exemptions" contained all of the details, while "Charitable, Educational and Religious Changes 2021" was an abbreviated version. The tax exemptions that Christene requested for approval were: Cedar City Housing Authority (B-1917-13; Crossroads of the West Council (C-1120-5, C-1120-6); Valley Bible Church (A-828-5); Turn Organization (2017 Ford E-450 Van, Bus/2018 Ford E-450 Super Duty). The applications for tax exemption that Christene suggested the commissioners deny were: Christ the King Catholic Church (2007 Ford Explorer-not in church's name; Corp. of the Episcopal Diocese of Utah (B-708-2 raw land); Crossroads of the West Council (C-1020-3, C-1110-6, C-1120-1 name change) IHC Health Services-Cedar (B-1-28 no application submitted) Valley Bible Church (A-828-1, A-828-1-1 consolidated properties to new number); Enoch 1st Ward (2005 Pace American Trailer-no application submitted); Mountain View LDS Ward (2008 Haulmark Utility Trailer-no application submitted); National Mustang Association (14' homemade trailer-not listed on renewal application); Turn Organization (10 various vehicles sold). Paul Cozzens made a motion to approve and deny applications for continued property tax exemption and new applications for property tax exemption which had been submitted by religious, educational, or charitable organizations requesting tax exempt status on personal or real property for the 2020 tax year as presented by Christene Lowder. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

APPROVAL OF VETERANS PROPERTY TAX ABATEMENT WHICH HAVE BEEN RECEIVED AND PROCESSED SINCE DECEMBER 7, 2020

Christene Lowder explained that these were applications of Veterans property tax abatements which had been received and processed since December 1, 2021 and March 5 2021. She reported that the list were all veterans except for Mr. Herring who was sent a new tax bill. His was for a circuit breaker and his application was stolen when the Auditor's mailbox was broken into. They listed it as lost and sent a new one. Christene reported that 3 of the veterans were for adjustments after they received an increase in the percentage, the others were new applicants. Christene's recommendation for total abatement approval was \$16,838.74 in adjustments. Paul Cozzens made motion to approve the Veterans property tax abatements which have been received and processed since December 1, 200 and March 5, 2021 in the amount of \$16,828.74, with the exception of Mr. Herring as presented by Christene Lowder.

RECONVENE AS IRON COUNTY COMMISSISON

Michael Bleak, Iron County Commission Chair, declared the adjournment of the BOE and the reconvening of the Iron County Commission.

REQUEST FOR POSSIBLE FORGIVNESS OF TAXES OWED ON APN: D-518-28-1

After a brief discussion, Michael Bleak declared the item tabled until a later date so further information could be obtained.

PRESENTATION REGARDING CHILDREN’S JUSTICE CENTER SERVICES

Michael Bleak declared the item stricken from the agenda.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented new hire Justin McDonald as a Full-Time Web Developer/IT Technician in the Information Technology (IT) Department, effective March 8th. Paul Cozzens made a motion to approve new hire Justin McDonald as a Full-Time Web Developer/IT Technician in the Information Technology (IT) Department, effective March 8th. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

Jennifer Bradbury presented new hire Keith Imlay as a Full-Time Landfill Technician in the Landfill Department, effective March 15th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve new hire Keith Imlay as a Full-Time Landfill Technician in the Landfill Department, effective March 15th. This was a backfill of a vacant position. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

Jennifer Bradbury presented new hire Marsun Swinney as a Full-Time Deputy 1 in the Sheriff Department, effective April 19th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve new hire Marsun Swinney as a Full-Time Deputy 1 in the Sheriff Department, effective April 19th. This was a backfill of a vacant position. Second by Michael Bleak. Voting: Michael Blake, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

POLICY

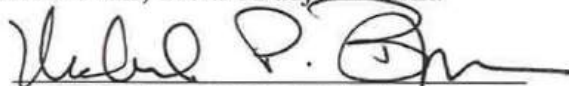
Jennifer Bradbury explained that when the COVID-19 pandemic hit, Iron County implemented a Temporary Pandemic Leave Policy. This past weekend the Senate passed the “American Rescue Plan Act.” It was a relief package that included direct tax credits for all counties within the U.S, extended the Family First Coronavirus Response Act (FFCRA) until September. Since the FFCRA took over in April and would continue until September the Iron County Temporary Pandemic Leave Policy could be ended. The FFCRA covers what the leave policy did in Iron County. Paul Cozzens made a motion to approve to suspend the Iron County Temporary Pandemic Leave Policy. Second by Michael Bleak. Voting: Michael Blake, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

NON-DELEGATED ITEMS

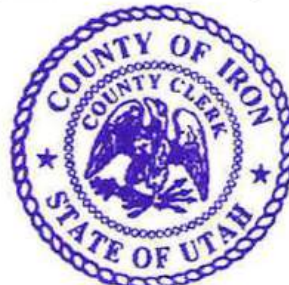
No Non-Delegated items were offered.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Chairman


Attest: Jonathan T. Whittaker, County Clerk

**IRON COUNTY COMMISSION MEETING
MARCH 22, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 22, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Karsten Reed	County Assessor
Sam Woodall	County Deputy Attorney
Dan Jessen	County Auditor
Richard Wilson	County Engineer
Jennifer Bradbury	County HR Director
Bruce Anderson	County Landfill
Terry Palmer	County Planning & Zoning
Preston Nelson	County Roads
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	6
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
COAL CREEK WATERSHED NOTICE OF GRANT	5
DEPARTMENTAL REPORTS.....	2
INVOCATION	2
MOU WITH UTAH GEOLOGICAL SURVEY FOR SEPTIC STUDY IN IRON COUNTY.....	5
NON-DELEGATED ITEMS.....	6
PERSONNEL	2
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	4
PUBLIC HEARING REGARDING DEVELOPMENT AGREEMENT	4
PUBLIC HEARING REGARDING ORDINANCE 2021-2.....	4
PUBLIC HEARING REGARDING PRELIMINARY SUBDIVISION, PHASE 2A	4
TAX EXEMPT STATUS REGARDING APN: B-1742-95	3
TAX FORGIVENESS REGARDING APN: D-518-28-1	5

INVOCATION

An invocation was offered by Preston Nelson.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meetings held February 22, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Paul Cozzens made a motion to approve claims for payment from March 8th through March 21st. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Terry Palmer, Iron County Building & Zoning Administrator, reported that as of March 21st Planning: In development and planning since January 1st until March 21st there had been 6 proposed zone changes within Iron County, and 6 new proposed subdivisions with a total of 97 proposed lots. Building: There had been plan review on 139 projects; as of Friday March 19th there had been 121 permits issued. Terry reported on the permits since January 2021: single family dwelling totaled 42; Additions/remodels 7; Accessory 40; solar systems 9; and misc./electrical/gas piping 15. Terry reported on Legislation bills that he had been following: HB409-Municipal & County Land Use & Development now required 4 hours of training per year before a member could serve on the Planning Commission Board; HB32 a single family housing modification to allow accessory dwelling units (2 dwelling units in one house) can be rented out but the owner has to be living in the other part; HB89-Regulate Building Inspections and Plan Reviews for Building Departments: the building department has 3 days to do an inspection from the day it was requested. If the inspection had not been done within the 3 days, the county shall promptly engage an independent inspector with fees collected from the applicant. On a residential plan review they had 14 days to review and commercial plan review had 21 days to review; Adoption of Building Codes were not changing, with the exception of Electrical Codes which were going to the 2020. Agriculture Land Use within the Agriculture Zone. State legislation would allow all Land Use Agriculture to be intermixed. Separation distance would no longer apply.

Richard Wilson, Iron County Engineer, reported that he had been traveling around Iron County with Paul Cozzens to view the recharge projects and the future belt way. He explained that, being this was his first report before the commission, there was no formal report because he was still getting a feel of the department. Richard reported that he and Reed Erickson met with NRCS regarding the Watershed/Flood Protection Project met and there an agreement was underway and they were ready to move forward. He noted that he had received a report regarding RS2477 and the agreement had been received. With the continued growth in Iron County there had been an increase in requests of 911 addresses. Almost every department needs access to the 911 addresses. There was a program with GPS coordinates that could be assign a 911 address, which would lessen errors. State 911 Assignment Training and it would be beneficial to have the 911 address assignments updated and delivered in a timely manner. Richard reported that he expected to have a Concessions agreement by April 1st for the 5-mile Campground. They were working on a grant to help fund the restoration project. Curtis DeMille was working on some flood control projects.

Bruce Anderson, Iron County Landfill Supervisor, reported 2021 tickets 57K last year. 20 more a day from last way. Bruce reported that he had finished the Semi-annual water samples; the re-permit process was getting close for Parowan nearly complete; Quarterly reports were due next month. The budget was on track except for a couple big expenditures with an engine in the 950 CAT loader and a rear-end in the 926 G CAT compactor. He had hired one new employee and he was doing well. Jonathan Whittaker noted that Bruce was not getting reimbursed for the billing for the use of the Landfill Bills with Ryan Riddle (Fire Notices). It was recognized and the Landfill would be reimbursed.

Preston Nelson, Iron County Roads Supervisor, reported on the projects the Road Department were working on: put the rest of gravel on Tipple Rd (Kanarra Mountain Road); put the rest of the gravel on Vandenberg Road; hauling chip to Vandenberg Road; and working on subgrade on the Heart Road in Newcastle. Looking ahead: placing gravel on 2 miles of the Heart road and get ready to chip; get Vandenberg Road ready to chip 1½ miles; get 3900 West ready to chip ½ mile; get Tipple Road ready to chip 1¼ mile; clean up existing road we will be chipping; place more chip around; bid out Chip Oil & Asphalt and open the mountain road in May if weather permits.

Paul Cozzens, Iron County Commissioner, reported a planned storage building at the fairgrounds was moving forward, and soils testing had been done by Joel Meyers and that the soil was favorable. Paul noted that he met with Lester Ross for a pre-bid meeting for the fair storage building. The historic grandstands would be torn down and replaced after the 2021 fair. He noted that the open house for the Cedar City Senior Citizen Center was successful had approximately 200 in attendance. Carter Enterprises, Inc. did a great job with the remodel. Paul reported that he had talked with Don Forsyth in Newcastle regarding water issues due to growth.

Marilyn Wood, Iron County Commissioner, reported that she had attended the Cedar City Senior Citizen Center Open House. She expressed her appreciation to Paul Cozzens for all he did to help with the remodel and addition. Marilyn noted that the remodel was beautiful and was pleased to have money from the COVID relief to move forward with the remodel. She thanked reporter Jeff Richards for great coverage in the St. George News.

Michael Bleak, Iron County Commissioner, expressed appreciation to Paul Cozzens for his work getting the Cedar City Senior Citizen Center remodel completed. Mike reported that he had met with Terry Palmer, Sheriff Carpenter and Jennifer Bradbury regarding a new Code Enforcement Officer and moving forward with the hiring process.

CONVENE AS THE BOARD OF EQUALIZATION (BOE)

Michael Bleak, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the BOE.

REVIEW FOR APPROVAL OR DENIAL, REGARDING A REQUEST FROM CEDAR CITY HOUSING AUTHORITY FOR TAX EXEMPT STATUS BEGINNING FEBRUARY 26, 2021 THRU DECEMBER 31, 2021 REGARDING APN: B-1742-95

Christene Lowder, Iron County Deputy Auditor, explained that at the last commission meeting the tax exempt application request was presented and was tabled to collect more information. The request was regarding APN: B-1742-95 located on Northfield Road. Cedar City Housing Authority was requesting prorated exempt status beginning the date of purchase, February 26th 2021, through December 31, 2021. Marilyn Wood made a motion to approve the request from Cedar City Housing Authority for Tax Exempt status regarding APN: B-1742-95, including 309 days of exemption. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the adjournment of the BOE and the reconvening of the Iron County Commission.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF A PROPOSED AMENDMENT AND EXTENSION OF DEVELOPMENT AGREEMENT-“PARKS AT DEER HOLLOW

Reed Erickson, Iron County Planner/Special Services, explained that Iron County Code Chapter 17.42-Development Agreement was originally approved for 10 years in July 2007 and had expired. The amendment was to allow the developer to move forward with beginning Phase 2A before Phase 1B was completed. Reed reported that the extension of the Development Agreement would be for 10 years and would financially help the developer to move forward and keep the development going.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed amendment and extension of a Development Agreement. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Paul Cozzens made a motion to approve the Amendment and Extension of a Development Agreement for The Parks at Deer Hollow as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED PRELIMINARY SUBDIVISION – PARKS AT DEER HOLLOW, PHASE 2A-19 LOTS

Reed Erickson explained that Phase 2A was located South of Midvalley Road and was currently zoned R-1/2. Reed noted that Keystone Developers, LLC had completed the application, and was in conformance with the Development Agreement. Public services would be provided similar to Phase 1. Water would be provided by the Central Iron County Water Conservancy District (CICWCD). Sewer would be provided by Cedar City and there would be standard private utilities. There were reduced setbacks & Public Utility Easements (PUE’s): 10 foot PUE on the front and 7.5 foot on the rear. The Flood Channel setback was 100’ from the banks. Reed reported that the Planning Commission had recommended approval based on findings in Iron County Code 16.12.100-Preliminary Subdivision.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed Preliminary Subdivision. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Marilyn Wood made a motion to approve the Preliminary Subdivision-Parks at Deer Hollow, Phase 2A-19 Lots based on finding in Code 16.12.100-Preliminary Subdivision as recommended by the Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE 2021-2, ADOPTING A PARTIAL VACATED AND AMENDED PLAT OF BLOCK K, THORLEY RANCH ESTATES UNIT B, AFFECTING LOTS 1, 2, 5 & 6, AND PROVIDING AN EFFECTIVE DATE

Reed Erickson explained that the Ordinance was for a proposed Road/Walkway/Easement Vacation of 10’ Walkway in Block K between 100 South and 300 South. Reed reported that all property owners in Lots 1, 2, 5 and 6 had all received notice and there were no concerns. Every property had signed the plat. The Public Hearing notice was posted for the required period. Neighboring parcels were notified within 300 feet of the easement.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding Ordinance 2021-2. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Paul Cozzens made a motion to approve Ordinance 2021-2, adopting a partial vacated and amended plat of Block K, Thorley Ranch Estates Unit B, affecting Lots 1, 2, 5 & 6, effective March 22, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

No Public Comments were offered.

DISCUSSION AND CONSIDERATION OF APPROVAL FOR A MEMORANDUM OF UNDERSTANDING (MOU) WITH IRON COUNTY AND THE UTAH GEOLOGICAL SURVEY FOR WORK REGARDING A NUTRIENT/SEPTIC TANK DENSITY STUDY OF FOUR COMMUNITY AREAS IN IRON COUNTY

Reed Erickson explained that the MOU Agreement had been prepared in the budget last year for this year for the Summit and Newcastle areas. The initial contribution from Iron County was \$50K. After the project was evaluated the cost was less than anticipated and could now include the Parowan and Paragonah areas for the same cost. Reed reported that they would be able to study all four areas with a contribution from Iron County of approximately \$40-\$44K. The survey would begin around July 1st, and it may have to carry over to next years' budget. The survey would provide good information to have and to maintain proper septic tank density. Dan Jessen asked Reed if Parowan and Paragonah needed a study. Reed reported that Tier 3 was most critical for the survey. The 2 others were in a Tier 2 and there were no surveys done and it would be good information to have on record. Marilyn Wood made a motion to approve the MOU with Iron County and the Utah Geological Survey for work regarding a Nutrient/Septic Tank Density Study of four community areas in Iron County. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND CONSIDERATION OF APPROVAL FOR COAL CREEK WATERSHED NOTICE OF GRANT AND AGREEMENT AWARD, NRCS PROGRAM FOR PL: 566 COAL CREEK WATERSHED PLAN PROJECT (\$550,000)

Reed Erickson explained the project contract and grant was to study flood mitigation work previously performed on Coal Creek. The objective was to analyze how well the creek would handle 100 year floods, 500 year floods, aquifer recharge and alluvial recharge near Rush Lake. The grant was for \$550K, but could change depending on findings of the study. Paul Cozzens asked whether the study was primarily focused on Coal Creek north of the "Woodbury Split." Reed Erickson replied that the study was from the mouth of Cedar Canyon and downstream. Marilyn Wood asked whether the grant covered 100% of costs. Reed Erickson replied that it did, and no matching was necessary. Paul Cozzens made a motion to approve the Grant and Agreement for study of the Coal Creek Watershed in the amount of \$550K. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE FORGIVENESS REGARDING TAXES OWED ON APN: D-518-28-1

Jon Whittaker explained that this item had been tabled from the previous commission meeting to allow more information to be gathered. He reported the owner was anticipating receiving full disability. The current tax owed was \$4,304.78 which included administrative costs and interest. Jon noted that the request was to forgive the amount owing for the individual due to mental and financial hardship. Helen Johnson, a mental health counselor helping with the case explained that the property owner would receive \$794 each month, assuming she qualified for disability, making it possible to make the tax payments in the future. There would also be an individual assigned to help the property owner be sure to pay all of their bills. Due to the property owner's disability status, she would qualify for a special tax abatement amounting to a reduction by half of the annual tax bill. The request was to forgive the amount owing for the individual due to mental and financial hardship. Jon Whittaker explained that there was no reason to pursue a tax deferral agreement, since there was no money available to pay the amount owing. Marilyn Wood made a motion to approve the tax forgiveness in the amount of \$4,304.78 as requested. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented a promotion for Braden Beaumont from Apprentice Appraiser to Lead Green Belt Appraiser in the Assessor’s Office, effective March 21st. Paul Cozzens made a motion to approve the promotion for Braden Beaumont from Apprentice Appraiser to Lead Green Belt Appraiser, effective March 21st. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented a promotion for Trevor Mattson from Apprentice Appraiser to Lead Status Appraiser in the Assessor’s Office, effective March 21st. Marilyn Wood made a motion to approve the promotion for Travis Mattson from Apprentice Appraiser to Lead Status Appraiser, effective March 21st. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the new hire of Mitchell Quartz as a Full-Time Deputy 1 in the Sheriff’s Office, effective April 4th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve new hire Mitchell Quartz as a Full-Time Deputy 1 in the Sheriff’s Office, effective April 4th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire Samuel Ward as a Part-Time Evidence Technician in the Sheriff’s Office, effective March 22nd. Marilyn Wood made a motion to approve new hire Samuel Ward as a Part-Time Evidence Technician in the Sheriff’s Office, effective March 22nd. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-delegated items presented.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael Bleak, Commission Chair


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
APRIL 12, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 12, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilynn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Dan Jessen	County Auditor
Danny Stewart	County Economic Development
Reed Erickson	County Planner
Carrie Jeffries	County Recorder
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer
Jennifer Bradbury	County HR Director

SYNOPSIS

ADDITIONAL FUNDING REQUEST FOR THE 4-H CLUB	6
ADJOURNMENT	11
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
ATV SALE FROM WEEDS DEPARTMENT	7
CONTRACT FOR IRON COUNTY FAIR BUILDINGS	10
DEFERRAL OF TAXES REGARDING APN: B-90-5.....	9
DEPARTMENTAL REPORTS.....	2
INVOCATION	2
LEASE CONTRACT NO. 05-1997 AMENDMENT NO. 3	7
LIMITED WATER LICENSE AGREEMENT.....	5
NON-DELEGATED ITEMS.....	11
ORDINANCE 2021-3	3
ORDINANCE 2021-4	4
PARKS AT DEER HOLLOW, PHASE 2A-19 LOTS, FINAL PLAT.....	5
PERSONNEL	10
PLEDGE OF ALLEGIANCE.....	2
PROCLAMATION 2021-1, APRIL "SEXUAL ASSAULT AWARENESS MONTH.....	7
PUBLIC COMMENTS	5

RESOLUTION 2021-2.....6
SEXUAL ASSAULT AWARENESS MONTH PRESENTATION.....6
TAX INCREMENT PAYMENT FOR BERYL SOLAR FOR 2020.....8
TAX INCREMENT PAYMENT FOR BUCKHORN SOLAR FOR 20208
TAX INCREMENT PAYMENT FOR CEDAR VALLEY SOLAR FOR 20209
TAX INCREMENT PAYMENT FOR ENTERPRISE SOLAR FOR 20209
TAX INCREMENT PAYMENT FOR GRANITE MOUNTAIN SOLAR EAST FOR 20209
TAX INCREMENT PAYMENT FOR GRANITE MOUNTAIN SOLAR WEST FOR 2020.....9
TAX INCREMENT PAYMENT FOR IRON SPRINGS SOLAR FOR 2020.....9
TAX INCREMENT PAYMENT FOR SUNEDISON SOLAR FOR 20209
20 YEAR SPECIAL USE PERMIT WITH DIXIE NATIONAL FOREST8
USDA FOREST SERVICE SPECIAL USE PERMIT10
UPDATING IRON COUNTY’S PROCUREMENT POLICY.....8
VEHICLE SALE TO NEWCASTLE WATER AND RESERVOIR COMPANIES7

INVOCATION

An invocation was offered by Marilyn Wood.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held March 8, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Marilyn Wood made a motion to approve the claims for payment from March 22nd through April 11th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Kenneth Carpenter, Iron County Sheriff, gave a brief report on the Hamblin Valley Wildland Fire. Sheriff Carpenter reported that the 40 foot flames that resulted in the fire was unprecedented for the month of April. The fire was limited to 650 acres with the help of local fire departments, retardant jets out of Arizona and a Hotshot crew from Colorado. There were 4 fires prior to the Hamblin Valley fire through the weekend. He stated that Iron County residents need to be aware that burn permits were available but only used if conditions would not risk an out of control fire.

Dan Jessen, Iron County Auditor, reported on the recent Coronavirus Act, Relief and Economic Security (CARES) Act. The Federal Government passed the American Rescue Plan Act (ARPA) of 2021, a \$1.9 trillion relief bill. The ARPA would provide relief in many forms, including but not limited to, direct stimulus payments to eligible recipients, unemployment assistance, aid for small businesses, aid to schools, and child tax credits. Utah received \$1.2 billion from the ARPA. He explained that he was waiting on the Department of Treasury for further guidance on the correct language regarding the items that the funds could be used for. The 4th item covers water, sewer and broadband infrastructure. If this was correct, Iron County could set aside funds for the infrastructure of a new jail. The consensus was that Iron County would use the ARPA funds for items that would otherwise come from the general funds and

reduce the impact on the citizens. The Iron County budget process would be reviewed before any spending of funds.

Paul Cozzens, Iron County Commissioner, reported that the Cedar City Senior Center re-opened last week. The newly installed elevator required 3 Phase power. As a solution, an "Add-A-Phase" system was installed which generates electricity as a third phase. This system was generating a lot of heat so he met with the contractor for a possible solution. They decided to cut a hole in the concrete and place the Add-A-Phase system in the crawl space, open to the outside with a metal grate to dissipate heat. This solution successfully solved the heat problem as well as reducing the motor noise in the building. Paul reported that Utah Department of Transportation would be adding a passing lane on SR-14 near the Southern Utah University (SUU) Mountain Center and the Woods Ranch Recreation Area. This would be a positive move and would help with safety. He noted that he had been the President of the Happy Factory Board for many years. The board was getting concerned with the founders aging and what would become of the Happy Factory down the road. The board met and set up a structure that would put Donna Cooley (founder) as the General Manager and there would also be Sub-Managers. Each Sub-Manager would work once a week learning to run the business. When a transition was needed one of the up Sub-Managers would move up. Paul reported that he had been in touch with the LDS Church about the possibility of assigning full time missionaries to help at the Happy Factory.

Marilyn Wood, Iron County Commissioner, reported that she had attended a special event set up by Dan McKittrick for a presentation by Sheriff Carpenter regarding 2nd Amendment Rights. Marilyn noted that Sheriff Carpenter's presentation was well presented and he answered questions that were posed. There was anywhere from 500 to 900 people in attendance. She asked that Iron County citizens be vigilant for illegal dumping and take it to the landfill. Marilyn expressed her appreciation to those that were involved with putting out the fire in Hamblin Valley. She had been approached about possibly extending the Cedar Canyon Walking Trail and was looking in to it.

Michael Bleak, Iron County Commissioner, expressed his appreciation to Paul Cozzens for taking the lead on commission construction projects, which was very helpful. Mike also expressed his appreciation to the fire department for all they do for fire suppression and education. Fire conditions in Iron County are behaving like July not April. There were burn permits online and were free, but at the moment there was a request from the fire department that the permits be discontinued due to extreme drought. He reported that during the Hamblin Fire, 4 individuals suffered smoke inhalation and a firefighter had significant burns. He pleaded with Iron County citizens to be careful with their fires and to make sure they were completely out. Mike stated that Sheriff Carpenter conducted his meeting with a call for peace and he appreciated the tone Sheriff set during meeting. There had been enquires about how to become deputized and become involved. The Search and Rescue would be a starting place. The meeting was available on YouTube for anyone that was unable to attend the meeting.

PUBLIC HEARING REGARDING ORDINANCE 2021-3, DISCUSSION AND POSSIBLE APPROVAL OF AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING AND/OR MODIFYING SECTION 17.16.020-ZONING DISTRICTS PURPOSE; SECTION 17.16.030-TABLE OF USES; SECTION 17.16.040-TABLE OF SITE DEVELOPMENT STANDARDS; SECTION 17.36.300-R4K ZONING DISTRICT STANDARDS; SECTION 17.16.035-TABLE OF RESIDENTIAL DWELLING TYPE; AND SECTION 17.84.010-DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE

Reed Erickson, Iron County Planner, explained that the ordinance would help Iron County address affordable housing. The Iron County Planning Commission had voted to recommend the ordinance to the Iron County Commission for consideration. Reed reported that the ordinance created a new zoning district (R4K Zoning District). Code 17.36.310-Purpose and intent: "R4K (Residential 4000 square feet) zoning district was provided and designed to create affordable housing options in a planned and organized park type community; to encourage flexibility and creativity in the subdivision design and layout: and to preserve and protect

development opportunities primarily in tracts of land where municipal type services are available and transportation systems can lend to higher densities than that is generally found in the unincorporated areas of Iron County; and to protect and enhance the desirable amenities and qualities of residential development, natural area, and open space. To this end, the R4K zoning district should be considered when a planned community of organized smaller lot residential housing opportunities is situated in the appropriate area that can meet the needs for transportation and municipal services and infrastructure.” Code 17.36.320-General requirements:

“Development projects/properties zoned R4K must: 1. Be at least five acres and not more than 20 acres in size, of contiguous property; 2. Provide central water with fire flow and central sewer; 3. Have forty-five feet minimum public street widths with curb, gutter and sidewalks, and comply with the asphalt paving and road developments; 4. Provide tow off-street parking spaces on each lot and have additional common parking spaces for use of guests/visitors at a rate of two parking spaces for every ten lots or portion thereof; 5. Create at least two ingress/egress locations; 6. Provide at least 2500 feet of outside storage area for every ten lots within the project; 7. Provide at least 4000 square feet of common park space/playground area; 8. Provide developer commitment or insure the creation of a community organization such as a Home Owners Association (HOA) to operate and maintain community improvements such as private community facilities/buildings, public areas of parks and open space, private outdoor storage areas, and additional common parking spaces.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding Iron County Ordinance 2021-3. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Marilyn Wood made motion to approve Iron County Ordinance 2021-3 as presented by Reed Erickson. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ORDINANCE 2021-4, ESTABLISHING AN IRON COUNTY CONSTITUTIONAL AND FEDERALISM DEFENSE COUNCIL AND A CONSTITUTIONAL DEFENSE PLAN

Paul Cozzens, Iron County Commissioner, explained that during the State Legislature Session Representative Phil Lyman introduced HB415 which would set up a commission in the State of Utah that if an Executive Order was issued by the President of the United States and Utah could discuss to see if it was appropriate for the state of Utah. Paul reported that he had met with Cedar City Councilman Tyler Melling to put together the language for Ordinance 2021-4. He explained that the ordinance would allow Iron County to create a Constitutional and Federalism Defense Council board, with a Constitutional Defense Plan, that would consist of the following members: The Iron County Commission; Iron County Attorney or the Iron County Attorney’s designee; and the Iron County Sheriff. The Council would assist the Iron County Commission by determining the constitutionality of federal and state mandates; reviewing certain executive orders by the President of the United States or by the Governor of the State of Utah that were not affirmed by a vote of the applicable legislative body and signed into law as prescribed by the Constitution of the United States; it may recommend that no local agency, political subdivision, or elected or appointed official or employee, may implement an executive order that was determined by the Iron County Attorney or other appropriate authority to be unconstitutional under the ordinance. Paul Cozzens explained that the ordinance was a result of worries regarding 2nd Amendment rights. Governor Cox signed HB415 which in creates a “Constitutional Defense Council” at the state level. He explained that it would be a recommend board that would decide to allocate funds to challenge or not enforce the Executive Order. Marilyn Wood noted that Chad Dotson, Iron County Attorney also contributed to the ordinance. Mike Bleak noted that he had concerns that the ordinance might have a negative effect on Iron County’s ability to receive general grants or funding from the federal or state government. Marilyn Wood said that it may be a condition on certain issues. Paul Cozzens noted that when the board met, potential consequences of any proposed actions would be discussed at that time. Mike Bleak read a letter sent to him regarding being concerned with funding being withheld as a result of the council.

Michael Bleak, Iron County Commission Chair, opened the item for any public comments. Paul Cozzens made a motion to approve Ordinance 2021-4-Establishing an Iron County Constitutional and Federalism Defense Council and a Constitutional Defense Plan. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

Volney Morin, Jr., a citizen of Iron County, said he was concerned with private money being given to run elections and registering voters. He submitted a written statement stating that Arizona had recently passed HB2569 into law that specifically prohibits private funding of elections, including registering voters. Mr. Morin invited the Commissioners of Iron County to consider whether a similar law should be passed in Iron County; if an ordinance was not possible then the Iron County Commissioners should consider going on record supporting the principles contained in Arizona HB2569. Jon Whittaker, Iron County Clerk, explained that Iron County does not accept private money for anything related to the elections. Mr. Morin stated that he was not concerned with government to agencies payments.

William Pressgrove, a citizen of Iron County, explained that during the pledge of allegiance we say, "liberty and justice for all." Yet in Iron County Zoning Ordinance Chapter 17.02 it states that any construction or use of land in Iron County must be in accordance with zoning rules. He expressed that this was not a state of liberty but of usurpation. Mr. Pressgrove modified a quote often associated with Voltaire by saying, "I may not want a pig farm next to my property, but I will fight to the death for your right to construct and operate it."

Kenneth Bower, a citizen of Iron County, noted that he was concerned on how future elections would be run as a result of the last Presidential Election. Citizen's need to be involved with the process to help clear up problems.

DISCUSSION AND POSSIBLE APPROVAL OF SUBDIVISION FINAL PLAT FOR THE PARKS AT DEER HOLLOW, PHASE 2A, 19 LOTS

Reed Erickson, Iron County Planner, explained that the preliminary Subdivision Plat was approved at the last commission meeting to allow contractors to move forward before the previous phase was completed. The item brought before the Iron County Commission today was the approval including an Escrow Agreement wherein Iron County will approve releases of funds. Marilyn Wood made a motion to approve the Subdivision Final Plat for the Parks at Deer Hollow, Phase 2A, including the Escrow Agreement as presented by Reed Erickson. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION AND APPROVAL FOR A LIMITED WATER LICENSE AGREEMENT BETWEEN IRON COUNTY AND PAROWAN VALLEY HOLDINGS, LLC-15 ACRE FEET WATER LEASE FOR SECOND MOUND PRAIRIE DOG PROPERTY

Reed Erickson, Iron County Planner, explained that Parowan Valley Holdings was leasing 15 acre feet of water from Iron County used at the Second Mound Property. The well was drilled last year and the agreement would help with the irrigation across the property to enhance the prairie dog habitat. Reed reported that the agreement was for \$450 and would request that the wording in the agreement change to "up to \$450" based on need. Once the agreement was approved he would write up the new agreement to include the wording change before it was signed. Paul Cozzens made a motion to approve a Limited Water License Agreement between Iron County and Parowan Valley Holdings, LLC for up to \$450. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2021-2, AMENDING THE IRON COUNTY SUBDIVISION CONSTRUCTION AND DESIGN STANDARDS (SECTION 102-REQUIRED IMPROVEMENTS & SECTION 109-ROAD STANDARDS-CROSS SECTIONS AND EXHIBITS)

Reed Erickson, Iron County Planner, explained the previous two ordinances instituted R4K zoning & standards. Reed noted that the resolution would be updated to include what improvements were required in the R4K zoning district. He noted that the resolution was recommended to present to the Iron County Commission by the Iron County Planning Commission. Marilyn Wood made a motion to approve the Resolution 2021-2, amending the Iron County Subdivision Construction and Design Standards (Section 102-Required Improvements & Section 109-Road Standards-Cross Sections and Exhibits). Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

REQUEST FOR ADDITIONAL FUNDING FOR THE 4-H CLUB

Cindy Rose, Program Director for the Youth Service Learning Program, expressed her appreciation to all of the 11 to 18 year volunteers. Cindy reported that the program was previously affiliated with 5 County when she was approached by Paul Cozzens to begin an independent program in Iron County. The program had been limited in activities as a result of COVID-19, but continued with service projects. Some of the projects scheduled for April were: cutting T-shirts to make quilts to give to the Assisted Living facilities, working at the Happy Factory, making bird feeders for Earth Day and stuffing Senior Bags for the Senior Fair. Cindy reported that she was currently working 11 hours per week and was requesting funding to work 20 hours per week. The additional funding would pay for those extra hours. Paul Cozzens explained that the YSL program was previously funded by 5 County who chose not to continue funding. Paul noted that instead of beginning a new program he asked Cindy to operate under 4-H in Iron County. Cindy reported that she was requesting \$10-15K from Cedar City and the Iron County Commission. Marilyn Wood explained that budget discussions were toward the end of the year and a decision may not happen now, but they would discuss it and get back with her. Alora Dabrinski explained that she was a member of Youth Advisory Board which helps oversee the youth. Alora reported that she was in the 8 Grade and had volunteered for 3 years. She noted that the program does make a difference. Michael Bleak expressed his appreciation to the program getting the youth involved in the community and away from electronics. Tonya Simpson, Iron County Probation Officer, and always looks forward to having some of her clients help with the program. She has seen how the youth program had benefited the youth.

PRESENTATION ON SEXUAL ASSAULT AWARENESS MONTH

Kaleigh Bronson-Cook, Canyon Creek Services Awareness & Prevention Director, explained that the Women's Shelter was a nonprofit organization to provide free, confidential help for survivors of domestic violence, sexual assault, and victims of crime. They provide 24-hour crisis intervention, emergency services to assist survivors and supporting them through their healing journey. The center also provides preventative education throughout their service areas of Iron, Beaver, and Garfield Counties. Kaleigh reported that in the last fiscal year Canyon Creek Services served 217 survivors of sexual assault. It was difficult to know the direct impact of sexual assault, but approximately 1 in 3 women and 1 in 5 men in Utah will experience some type of assault in their lifetime. She reported that she had visited City Councils in Cedar City, Enoch. Parowan, and Commissions in Garfield, Beaver and now Iron County. The proclamation would help reach more individuals. She encouraged the commissioners to adopt the proclamation. Michael Bleak expressed his appreciation, on the behalf of Law Enforcement, for the Canyon Creek Service and that prevention was the key. Since the increase in prevention and services there had been a decrease in certain types of sexual assaults. The program was making a difference. Kaleigh expressed her appreciation to Sheriff Carpenter, the Children's Justice Center Staff and the great communities.

PROCLAMATION 2021-1, PROCLAIMING APRIL “SEXUAL ASSAULT AWARENESS MONTH”

Paul Cozzens made a motion to approve Proclamation 2021-1, proclaiming April as “Sexual Assault Awareness Month.” Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF LEASE CONTRACT NO. 05-1997 AMENDMENT NO. 3 WITH THE UTAH STATE COURTS ADMINISTRATIVE OFFICE OF THE COURTS FOR THE FIFTH DISTRICT JUVENILE COURTS AND FIFTH DISTRICT GUARDIAN AD LITEM OFFICE, LOCATED AT 82 N 100 E, SUITE 204, CEDAR CITY, UT, FIVE YEAR TERM EXPIRING JUNE 30, 2025

Jon Whittaker, Iron County Clerk, explained that the Lease Contract was regarding the State leasing space from Iron County with an annual payment of \$49,554.14. The contract renewal would be for the years 2021 through 2025. The rate was reevaluated every five years. Reed Erickson noted that the Fifth District Juvenile Courts and the Fifth District Guardian Ad Litem were in two different suites, therefore there would need to be a correction with the suite numbers. Marilyn Wood made a motion to approve the Lease Contract NO. 05-1997 Amendment NO. 3 with the Utah State Courts Administrative Office of the Courts for the Fifth District Juvenile Courts and Fifth District Guardian Ad Litem Office, located at 82 N 100 East, Cedar City, UT for the annual payment amount of \$49,554.14, with the correction to be made on the suite numbers. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A VEHICLE SALE TO THE NEWCASTLE WATER COMPANY AND NEWCASTLE RESERVOIR COMPANY THAT WAS USED BY THE HAMBLIN VALLEY FIRE AND NEWCASTLE FIRE DEPARTMENT, 2005 DODGE

Jon Whittaker explained that this was a follow up from the previous Iron County Commission meeting. Michael Bleak explained the 2005 Dodge was part of the recent “horse-trading” of vehicles among Brian Head Town, Kanarrville Town, and the Beryl Fire Department. The Newcastle Reservoir and Newcastle Water Companies were asking to purchase the pickup. The Dodge was mechanically sound but needed to be cleaned up. Newcastle offered \$1000K for the truck and could afford as much as \$2K. Dan Jessen reported that the book price of the Dodge was listed higher, but that price was based on a Dodge in great condition. Mike Bleak recommended, taking in consideration the condition of the truck and that it had been sitting in Hamblin Valley for a long time, to allow the sale to Newcastle because of the usage listed. Paul Cozzens made a motion to approve the sale of a 2005 Dodge Truck for the use at the Newcastle Water Company and Newcastle Reservoir Company for between \$500 and \$1500, to be determined after Newcastle could assess the pickup. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF AN ATV SALE FROM THE WEEDS DEPARTMENT

Dan Jessen, Iron County Auditor, explained that the sale and purchase of a newer ATV was discussed at the Weed Department budget meeting. Jon Whittaker explained that the ATV was a 2018 Honda Pioneer with 3,815 miles, a street legal kit, 14” wheels, DOT tires, and full hard top. The ATV should sell for no less than \$18K. Jon noted that the request was to place the ATV on the surplus property website. Marilyn Wood made a motion to approve the sale of a 2018 Honda Pioneer ATV with a \$18K minimum bid. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A 20 YEAR SPECIAL USE PERMIT (CUP) WITH DIXIE NATIONAL FOREST FOR THE PURPOSE OF OPERATION AND MAINTENANCE OF A WATER SYSTEM AND SUPPLY FROM AN UNNAMED SPRING TO PRIVATE LAND

Jon Whittaker explained that this was the water supply for Woods Ranch and the permit was up for renewal every 20 years. Paul Cozzens made a motion to approve a 20 Year Special Use Permit with Dixie National Forest for the purpose of operation and maintenance of a water system and supply from an unnamed spring to private land. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF UPDATING IRON COUNTY'S PROCUREMENT POLICY

Dan Jessen, Iron County Auditor, explained that with the passing of SB201 it was no longer required to place notices with the newspaper and they could now be posted on the website of the main procurement, which was the Iron County Website. Dan reported that this would affect public notices for elections and zoning as well. The current Iron County Procurement Policy stated that public notices had to be in the newspaper for 7 days. He reported that he had been working with IT to update the Iron County website to be very public friendly and have easy to access to any Public Notices. Dan reported that updates the to the Procurement Policy Section 63G-6a-112 Required public notice – Section IV-Bid Processes A-1- Sealed Bidding – b, i: to read “The notice inviting bids shall be posted on the County website at least 10 days before the date of the opening of the bids; ii: posted on the public bulletin boards in one of the County offices at least ten day prior to the opening of the bids; B-Competitive Sealed Proposals, 2.b: the Request For Proposal shall be posted on the County website at least 10 days before the opening of the proposals. The website would be the primary source for public notices and putting it on the local county website could reach out contractors/vendors to help keep local. Marilyn Wood made a motion to approve the update to the Iron County Procurement Policy as presented by Dan Jessen. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

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

Michael Bleak, 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 PAYMENT FOR BERYL SOLAR FOR 2020

Danny Stewart, Iron County Economic Development Director, explained that this was a continuation of the Tax Increment Payments from the last two solar companies, Items 15-18 were under Terraform Power, and Items 19-22 were under Dominion Energy. Danny reported that all the information had been submitted and all projects had met the Participation Agreement requirements. Dan Jessen requested that Danny make an amendment to include the current (updated) mailing addresses of the companies in the agreements. Danny said he would include it on any forms sent to the companies. Paul Cozzens made a motion to approve the Tax Increment payment for Beryl Solar for Year 2020 in the amount of \$26,327.92. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR BUCKHORN SOLAR FOR 2020

Paul Cozzens made a motion to approve the Tax Increment payment for Buckhorn Solar for Year 2020 in the amount of \$29,436.47. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR CEDAR VALLEY SOLAR FOR 2020

Paul Cozzens made a motion to approve the Tax Increment payment for Cedar Valley Solar for Year 2020 in the amount of \$27,096.12. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR SUNEDISON SOLAR FOR 2020

Paul Cozzens made a motion to approve the Tax Increment payment for SunEdison Solar for Year 2020 in the amount of \$77,767.94. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR IRON SPRINGS SOLAR FOR 2020

Marilyn Wood made a motion to approve the Tax Increment payment for Iron Springs Solar for Year 2020 in the amount of \$793,035.27. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR GRANITE MOUNTAIN WEST SOLAR FOR 2020

Marilyn Wood made a motion to approve the Tax Increment payment for Granite Mountain West Solar for Year 2020 in the amount of \$532,691.92. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR GRANITE MOUNTAIN EAST SOLAR FOR 2020

Marilyn Wood made a motion to approve the Tax Increment payment for Granite Mountain East Solar for Year 2020 in the amount of \$819,903.36. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

REVIEW AND POSSIBLE APPROVAL OF TAX INCREMENT PAYMENT FOR ENTERPRISE SOLAR FOR 2020

Marilyn Wood made a motion to approve the Tax Increment payment for Enterprise Solar for Year 2020 in the amount of \$779,698.52. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the adjournment of the ICCD&RA and the reconvening of the Iron County Commission.

DISCUSSION AND POSSIBLE DEFERRAL OF TAXES FOR APN: B-90-5

Jon Whittaker explained that this home was at risk for being sold at the 2021 tax sale. The husband lost his job of 21 years and any overtime and the wife also lost her job. Both have found new jobs but the annual income dropped by half. They have asked for a deferral of their back taxes and have agreed to a payment of \$385.29 per month for 11 months. Total back taxes due was \$2,862.94 and estimated tax for 2021 was \$1375.24 for a total of \$4,238.18. Jon expressed his appreciation to the Treasurer's department to going above and beyond what was required to help people to avoid penalties and the loss of their homes. Paul Cozzens made a motion to approve the deferral of taxes for APN: B-90-5 for 11 payments in the amount of \$385.29. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT BETWEEN IRON COUNTY AND CARTER ENTERPRISES FOR FAIR BUILDINGS

Lester Ross, Iron County, explained that the Request for Proposal (RFP) was issued for 2 projects on the Iron County Fair Grounds located in Parowan, Utah. Project 1: Provide and install a 50 foot x 70 foot 3500 square foot steel building with a concrete floor. Iron County would have a building pad compacted and ready at rough floor level, be responsible for any rock or asphalt, and be responsible for soils testing. Lester reported that the work would begin as soon as the contractor was available and would need to be completed by August 2021, contingent on metal building availability. Project 2: Provide and install a 33 foot x 161 foot steel shade, rain cover, and concrete pad for bleachers. Lester reported that Iron County would remove the existing wooden bleachers and cover, have a building pad compacted and ready at rough floor level, and be responsible for any rock or asphalt. He reported that the work would start after September 13th (after the 2021 Iron County Fair and depending on removal of the existing bleachers), work would need to be completed by April 2022. Paul Cozzens noted that the safe life of the existing wooden grandstands was coming to an end. This would be the last fair season for the historic structure build by the Civilian Conservation Corps. There was some discussion about salvaging pieces of the grandstands as mementos. Any salvage work would have to be done by a licensed and insured company. Paul Cozzens noted that several vendors had expressed a willingness to give a discount on materials because it was for the Fairgrounds. Some contact to salvage materials but have to be licensed and insured. Lester Ross noted that Parowan City would be interested in some of the salvage materials. Marilyn Wood made a motion to approve a contract with Carter Enterprises, Inc. to build 2 buildings at the Iron County Fairgrounds for a total amount of \$389,563 as described and to include any discounts in the final price. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF USDA FOREST SERVICE SPECIAL USE PERMIT FOR VERMILLION CASTLE/FIVE MILE PICNIC AREA

Mike Worthen, Iron County Natural Resource Management Specialist, explained that the approval for the Special Use Permit had been a slow process with the USDA Forest Service to begin to restore the Vermillion Castle/Five Mile Picnic Area in Parowan Canyon as a result of the Brian Head fire and subsequent floods from the damaged watershed. Alma Adams, former Iron County Commissioner, began the process to revive the area and set the process in motion before he retired. Mike reported that he had applied for a grant through Outdoor Recreation in the amount of \$109K. The Iron County cash obligation would be \$59K, of which \$43K would be funding for a Seasonal Maintenance Employee. He reported that he submitted the application in March and would not know if it was accepted until May. Any work done prior to getting the grant could not be included in the grant funding. Paul Cozzens explained that he had noticed that some of the picnic table planks had been stolen and wondered if some of the native Cedar Red Trees could be harvested to replace them. Mike Worthen noted that he would be meeting with the Forest Service to determine which trees could go and which had to remain. When the permit was signed he would go up and pull the remaining tops of the picnic tables and put them in storage. The State Historical Society would have to give approval for any work to be done on the Pavilion. Paul Cozzens made a motion to approve the USDA Forest Service Special Use Permit for Vermillion Castle/Five Mile Picnic area. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented a promotion for Teresa Caldwell from a Personal Property Specialist to a Lead Personal Property Assessor in the Assessor's Office, effective April 18th, with corresponding pay. This was a newly approved position. Marilyn Wood made a motion to approve a promotion for Teresa Caldwell from a Personal Property Specialist to a Lead Personal Property Assessor in the Assessor's Office, effective April 18th, with corresponding pay. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye, Marilyn Wood, Aye.

Dan Jessen, Iron County Auditor, presented for approval an Auditor Departmental change of structure. Dan explained that Christene Lowder would retire on July 1st. He would like to name Carrie Christiansen as the new Chief Deputy Auditor. The proposed change of the Auditor Department would be: appoint Carrie Christiansen as the Chief Deputy Auditor and continue with her current daily tasks with supervisory responsibilities; create positions of Deputy Auditor Accountant 1 assigned to August Franklin; Deputy Auditor Accountant 2 – backfill to Carrie Christiansen’s position; Deputy Auditor-Accounts Payable Part-Time (New position). He explained that the changes would enhance the capability of the office and would cost an additional \$10-15K. Paul Cozzens made a motion to approve the Auditor Departmental structure as presented by Dan Jessen. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye, Marilyn Wood, Aye.

Jennifer presented a promotion for Stephanie Rainey from Office Coordinator to Victim Services Coordinator in the Children’s Justice Center, with corresponding pay, effective April 18th. This was a backfill of a vacant position. Marilyn Wood made a motion to approve the promotion of Stephanie Rainey from Office Coordinator to a Victim Services Coordinator in the Children’s Justice Center, with corresponding pay, effective April 18th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye, Marilyn Wood, Aye.

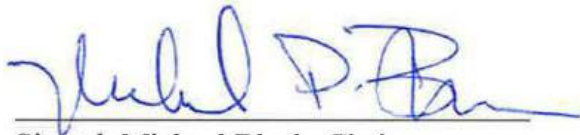
Jennifer presented new hire, Heidi Furlow, as a Full-Time Medical Technician/Deputy in Corrections, effective April 18th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve new hire of Heidi Furlow as a Full-Time Medical Technician/Deputy in Corrections, pay beginning at \$18.63 and increasing to \$20.05 after all training requirements were completed. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye, Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-Delegated items were offered.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Chairman



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

APRIL 26, 2021

Minutes of the Iron County Commission meeting convened at 9:00 A.M. April 26, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Karsten Reed	County Assessor
Mike Edwards	County Deputy Attorney
Dan Jessen	County Auditor
Jennifer Bradbury	County HR Director
Jared Wilson	County Information Technology (IT)
Reed Erickson	County Planner
Carri Jeffries	County Recorder
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	11
APPROVAL OF CLAIMS FOR PAYMENT	3
APPROVAL OF MINUTES	3
ASSESSORS OFFICE REMODEL-CONTRACTORS & BUDGET	10
DEPARTMENTAL REPORTS.....	2
EVENT PERMITS FOR "RED ACRE FARM"	9
INVOCATION	2
LOCAL CONSENT PERMIT "HERITAGE AND MINING FESTIVAL"	9
NON-DELEGATED ITEMS.....	11
PERSONNEL	11
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	9
PUBLIC HEARING REGARDING PRELIMINARY PLAT (APN: D-528-4).....	7
PUBLIC HEARING REGARDING PRELIMIINARY PLAT (APN: D-597-10).....	8
PUBLIC HEARING REGARDING PRELIMINARY PLAT (APN: D-616-617).....	9
PUBLIC HEARING REGARDING PRELIMINARY PLAT (APN: D-768)	7
PUBLIC HEARING REGARDING A ZONE CHANGE (APN: C-1100).....	3

PUBLIC HEARING REGARDING A ZONE CHANGE (APN: D-768)6
 PUBLIC HEARING REGARDING A ZONE CHANGE (APN: E-396).....6
 PUBLIC HEARING REGARDING A ZONE CHANGE-RAINBOW MEADOW RANCHOS ..7
 SOUTHERN UTAH SEALCOATING AWARD CONTRACT 10
 TAX EXEMPT STATUS REGARDING APN: B-1181-C-3)..... 10

INVOCATION

An invocation was offered by Karsten Reed.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance given by Sam Woodall.

DEPARTMENTAL REPORTS

Jared Wilson, Iron County Information Technology (IT), reported that the budget was on track. The only area on the budget that may be of concern would be the new hires that were not included in the budget. Most of the money spent in the budget was on software. Jared reported that the Law Enforcement had been moved over to a new server. The next big project was to move the landfill PC over to a new server. There had been 2 new hires.

Karsten Reed, Iron County Assessor, reported the budget lines for wages and salaries were low due to 2 employees having left. The training and new employees would be increasing. Next deadline was the Assessment Roll. Karsten noted that his office might be losing another Assessor that was moving on to another endeavor.

Nicole Rosenberg, Iron County Treasurer, reported that they had been working to collect on delinquent taxes. Collections were at \$3,280,506.23. Funds Distribution was \$597,196.27 Outstanding taxes was approximately \$7M. State Bank had changed their Merchant provider to a Utah Company called, "Select Inc.", and the office had been working with the departments to complete the transition. Nicole reported that the May Tax Sale was coming up. The beginning list had been 206 parcels and was down to 127. There were 5 homes on the list. Melanie Hall had given the list to the Sheriff and he had delivered notices to all of the remaining homes. She had heard from a few of them since the delivery. It was important to get everyone informed. Nicole expressed her appreciation for her staff and how much they all get along and the hard work they do.

Carri Jeffries, Iron County Recorder, reported that there were 6,080 total recordings in the 1st Quarter, 2,083 transfer documents, 18 subdivision plats and a total revenue of \$243,484.75. They had created 711 new accounts in the first three months. In working toward the ongoing Geographic Information System (GIS) conversion they had completed 15,179 of the 52K parcels in Iron County. The original budget was \$270,000 and they had spent \$60K in the first year. There would need to be a budget assessment later in the year from the accelerated progress and ongoing growth.

Marilyn Wood, Iron County Commissioner, encouraged employees to car pool as much possible. She had traveled with Mike Worthen and an Off Highway Vehicle (OHV) group to Parowan Gap. Mike Worthen was working to be able to create a map for the different OHV trails in Iron County. Marilyn expressed that Iron County had a wonderful trail system. Marilyn reported that there was going to be a "Mock Evacuation" of Cedar Highlands next Friday and Saturday and she wanted everyone to be aware of it. She attended a meeting with Paul Monroe regarding their "Get to Know your H2O," campaign. The campaign emphasized: 1. Shorten your shower time; 2. Wait to irrigate until after dark; and 3. If you have a leak, repair it. All these things would help Iron County save water. She had gotten a call from Earl Grimshaw stating that his bike club went out to Three Peaks to clean up the area. Upon arriving they found a huge pile of tires. She noted that citizens need to continue to be aware of where they are dumping trash. The landfill exists for everyone to use. Marilyn expressed her appreciation to Martin Tyner for the Southwest Wildlife Foundation that he established in 1997. The bird rehabilitation facility

was located near the mouth of Cedar Canyon and because the trail system was going to be expanded Martin realized that it would not be good for the animals for the extra traffic and people. Enoch City had given Martin a 100-year lease on property to move the rehabilitation facility onto.

Paul Cozzens, Iron County Commissioner, reported that construction was beginning on a 50 by 70 foot building on the Fairgrounds. In the last 5 County Steering Committee meeting, they approved a \$200K CDBG Grant application for the new addition to the Fire Station in Newcastle. Pavement was laid at the Cedar City Senior Center last Monday by Sunroc and they did a beautiful job. Paul reported that he had received a call from Commissioner Evelyn Warnick from Millard County informing him that there would be a food truck from California delivering food to Iron County if they were interested. The truck would be in Iron County on May 6th and May 20th at 6:00 pm at the Church of Jesus Christ of Latter Day Saints (LDS) Chapel located at 400 North 500 West in Cedar City. There would be 28 pallets with 48 boxes on each for a total of 1,248 boxes of food. Anyone was welcome to come get boxes if they were in need. Paul had attended a water meeting with Paul Monroe to go over the Environmental Impact Statement regarding the Pine Valley Water Supply Project. Paul Monroe was pushing hard to complete the project.

Michael Bleak, Iron County Commissioner, reported that the Hospital Board had reached out to him about a month ago to set up a meeting with the Hospital Board, local Law Enforcement and the Fire Department. The Hospital Board was interested in understanding what the emergency capabilities were in the event of a disaster or any other event. They were able to meet and talk about Fire and Law Enforcement response. Mike reported that they went on a tour of the Emergency Management facilities. There was a tent setup with a hand washing stations, a Command Center, and a Radio Trailer. As Marilyn mentioned, regarding the Cedar Highlands exercise, the message boards were being set up to help disseminate the information for the activity. There had been seven fires in Iron County as of last Friday, and Commissioner Bleak asked the citizens be careful.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held March 22, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM APRIL 12, 2021 TO APRIL 25, 2021.

Marilyn Wood made a motion to approve claims for payment for March 8th though March 21st. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF A ZONE CHANGE FOR PROPERTY CURRENTLY ZONED RESIDENTIAL ½ ACRE (R-1/2) to AGRICULTURE 20 ACRE (A-20)

Reed Erickson, Iron County Planner, reported that the subject property was approximately 20 acres located at 995 W Old Hwy 91, Parowan, UT within the W½ NW¼ SW¼ Section 23, T34S, R9W, SLB&M, Iron County. UT (APN: C-1100). Reed explained that the owner of the property, Mr. Harns wanted to put a "Resort Lodge" on the property and it was not zoned to accommodate the resort. The zone change to A-20 would allow the resort. The home had been vacant for 12 years and Mr. Harns was interested in the purchasing the property to make it into a Resort Lodge. The development of the lodge would include: the new construction and use of a barn building to be used as a reception center (including gathering space, restrooms, serving kitchen, dressing rooms and storage space) for the purpose of hosting events, including but not limited to, weddings, wedding receptions, community meetings and social/group gatherings; the completion and use of an existing residential building as a short-term resort lodge rental for family reunions, weddings, social gatherings, and other similar events-not to exceed a 30 consecutive day rental per group; use by owner/family (non-rental) without stay limitations.

The barn would be approximately 6,700 sq. ft. in accordance with the current footprint. There would be no ATV use without qualified adult supervision on the established roads and trails. Reed reported that the usable parking facilities (hard surface-including gravel or grass pasture land) would be provided at the appropriate locations throughout the property to accommodate up to 300 vehicles, plus appropriate staff. The resort would have no outdoor music, noise, (in compliance with Section 8.20.060-Noises. Iron County Code) or lights, excluding perimeter safety lighting, between the hours of 10:00 PM and 7:00 AM. Any activities after 10:00 PM would be located within the resort lodge structure. A permanent perimeter/boundary fence would be installed around the entire property boundary of the resort lodge, and the lodge would comply with the Iron County Deer Winter Range Resource Plan. Mr. Harns had contacted many of the neighbors and was willing to work with them.

Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the zone change and determined that the applicable ordinances and policies had been complied with, and recommended the zone change as explained to the Iron County Commission for approval.

Michael Bleak asked Chief Mike Berg of Parowan and Sheriff Ken Carpenter to provide some background regarding criminal behavior on the property. There had been no type of security on the property since the pause of construction on the residence.

Chief Mike Berg explained that the data was from the Parowan Police Department only. The numbers were only the ones that had been reported. There were many more that were not reported. From March 2015 the following calls had been recorded based on the owners' name and address in the system with a case number assigned to them: 31 trespassing citations or cases written, trespassing, 24 reports of vandalism, 16 criminal mischief reports, 2 reported sexual assaults, 1 rape, 21 drug related calls, 4 foot chases out of the property, 1 vehicle pursuit out of the property, 24 juvenile smoking citations, 29 minor consumption citations, 47 CAD call (does not warrant a full report just a small paragraph), 23 patrol drive-by reports of some type of incident that they dealt with. Over a 6-year period there were a total of 322 responses to the property with form of documentation. The total estimated damage that had been reported on their cases was approximately \$460K. This was damage done to the inside of the home. Chief Berg reported that he asked the owners to put in a WIFI camera system with a \$9,600 expense. With the property being vacant and the location makes it difficult to proactively respond more than what had been able to do. The owners have hired a property manager from Parowan, gate with a lock, and no trespassing signs have been put up, but it was up to individuals to obey them. Even though the most problems had been with juveniles, the major thefts had been committed by adults. He expressed that any type of regulated events that happen on the property would be a major improvement and a benefit to neighbors and Parowan City.

Sheriff Kenneth Carpenter noted that there were currently two similar Event Centers in Iron County. One was The Barn located at 1419 W 3000 N and Willow Glen located at 3308 N Bulldog Road. He reported that he ran a similar crime report for the last 5 years on the two properties. In that time, The Barn (which opened in 2017) had 1 animal problem and 1 hit and run (2019), 1 burglary (2018) and 3 alarm calls (2017). The alarm calls were a result of a new alarm system that was put in that the owners had not figured out. Willow Glen had 1 intoxication report in 5-years. Sheriff Carpenter stated that there was a significant difference from having a property that's uninhabited and difficult to patrol. There was no true study on the traffic to report on issues, but when the Event Centers were used the vehicles come and go and have never been at full capacity at one time.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding the proposed zone change.

Bill Pressgrove, a citizen of Iron County, stated that all involved needed to read the Utah Constitution that all mankind had inalienable rights.

Roger Robinson, a citizen of Iron County, was concerned that the zone change was not being discussed along with the Conditional Use Permit.

Gary Clark, a citizen of Iron County, was in favor of the zone change.

Greg Hicks, a citizen of Iron County, owned a Bed and Breakfast for 15 years and had never had any problems during the events.

Jeff Foust, a citizen of Iron County, was concerned with the impact of the zoning change, OHV's, noise and how everything was going to be enforced.

Patricia Young, a citizen of Iron County, was concerned with Highway 91 being able to handle the extra traffic, the old bridge, noise, and parking.

Michael Bleak asked Reed Erickson to address some of the parking issues. Reed explained that the 300 parking was a maximum allowable for parking on the property, there would be no parking allowed on the public road, and that the Conditional Use Permit would be presented at the next Iron County Planning Commission as it could not be issued before the zone change was approved.

Barbara Barrick, a citizen of Iron County, stated that the home should just be declared a "party house", and was concerned with the traffic.

Lesa Foust, a citizen of Iron County, was concerned with all the OHV's going around the property.

Brad Green, a citizen of Iron County, reported that every human had the right to their own property and what to do on it. Brad noted that he was in support of the zone change and resort and that when Mr. Harns fixed up the property it would be very nice.

Lynette Clark, a citizen of Iron County, explained that she and her husband had worked for hours trying to keep kids out of the house and trying to keep the weeds down. They had called the Parowan Police at least once a week. Lynette said she was aware that Parowan was growing and the Resort Lodge would be good for the community.

Jared Harrington, a citizen of Iron County, reported that he had met and spent some time with Mr. Harns after the Planning Commission meeting. Mr. Harrington was pleased that Mr. Harns was willing to listen. Something needed to be done with the property and this was the best option.

Patricia Jenson, a citizen of Iron County, expressed that after listing to Chief Berg and Sheriff Carpenter, she had no idea that there was so much crime. She expressed that the property had the potential to be a beautiful place. The people buying the property were nice people and was aware of all the concerns and just wants to make it a better place.

Chuck Harris, a citizen of Iron County, explained that he built the home for the original owners, the Blacks. Mr. Black had had a massive stroke which contributed to the home not being finished. He would love to be living there. When the property was sold it would then be protected by the person buying it. This situation could be worse with the possibility of someone tearing down the home and building more apartments. He approved the project and felt like it would be a great asset for Parowan.

Justin Wayment, Legal representative for Mr. Harns, reported that he when had reviewed the parking concerns regarding an event center on the property, he found that when he had attended two weddings held at The Barn he was told there was about an average of 36 cars parked at each event. The number of 300 cars was the maximum number chosen for the proposed event center to make sure there was enough parking and to not be called dishonest in the future. Horses were for personal use.

Kirk Harns, the proposed buyer of the property, explained that when he looked at the property, he had had many ideas but the Resort Lodge was the best choice. Kirk reported that he had met with the neighbors. After going through the plans most of them were now on board. He had been visiting Iron County for over 22 years and had loved it. The home would be used personally when not rented.

Robert Young, a citizen of Iron County, was concerned that it would turn into a 24/7 operation, the impact on traffic on the road and in town, taking business away from local businesses, the quality of life changing, with parking along the highway and that the value of the surrounding homes would decrease.

Dan Jessen, Iron County Auditor, explained that he lived down the road from The Barn in Cedar valley. He reported that it was a beautiful building and had been nervous about some of

the same concerns brought up. Dan expressed that The Barn had been great neighbors and it was full on most weekends. The traffic was not too bad.

Kenneth Bower, a citizen of Iron County, explained that Highway 91 had been the primary north and south corridor before I-15 had been established.

Diane Harris, a realtor in Parowan, explained that she had seen everyone that had been interested in the property. Most of those interested in purchasing the property were interested in using it as some type of a rehab home. Because a rehabilitation center would already be an acceptable use, there would be no opportunity for input in that case.

Jim Harris, a citizen of Iron County, explained that good planning means everything as it betters the community and stays better. The property would be beautiful when it was completed. Parowan was always looking for good development for the community. The resort would bring a good tax base, would be a beautiful improvement, and it would attract more to the businesses to Parowan.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing closed. Michael Bleak expressed his appreciation to all who voiced their concerns. Paul Cozzens stated that he appreciated the process of holding public hearings to allow the public to voice their concerns. Mr. Harns had proven to be a good neighbor after meeting and listening to the neighbors. Many people who were first opposed had now changed their minds because Mr. Harns had been willing to listen and work with them. Marilyn Wood noted that this was what we do as neighbors to better our community. Marilyn reported that she had attended the Planning and Zoning meeting on April 1st and appreciated the way the public presented themselves today with their concerns. It was important for our citizens to be involved and to understand both sides of the concerns on change. Mr. Harns had been very gracious and willing to talk to and work with his potential neighbors.

Marilyn Wood made a motion to approve the zone change for property currently zoned Residential ½ acre (R-½) to Agriculture 20 acres (A20), with findings, as recommended by the Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF A ZONE CHANGE FOR PROPERTY CURRENTLY ZONED RESIDENTIAL 5 ACRE (R-5) TO AGRICULTURE 20 ACRE (A-20)

Reed Erickson, Iron County Planner, explained that the property was approximately 76 acres located south of Kanarraville, Utah, between I-15 and Old Hwy 91 within the N½ S½ & S½ N½ Section 4, T38S, R12W, SLB&M. Iron County, UT (APN: E-0369). Reed reported that this property was surrounded by Zone A-20 and was requested to change for usage of agriculture.

Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the zone change and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission for approval.

Michael Bleak, Iron County Commission Chair, declared a public hearing open regarding the zone change. No public comments were offered. Michael Bleak declared the Public Hearing closed.

Paul Cozzens made a motion to approve the zone change for property currently zoned Residential 5 Acre (R-5) to Agriculture 20 (A-20) regarding APN: E-0369, with findings, as explained by Reed Erickson. Second by Marilyn. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF A ZONE CHANGE FOR PROPERTY CURRENTLY ZONED AGRICULTURE 20 (A-20) TO RESIDENTIAL 1 ACRE (R-1) (115.04 ACRES) AND A PROPOSED SUBDIVISION, PRELIMINARY PLAT – “THE FARM SUBDIVISION, PHASE 1, 32 LOTS” (41.14 ACRES)

Reed Erickson, Iron County Planner, explained the property was located near 2100 N 5400 West, Cedar City, UT within the S½ N½ Section 31, T35S, R11W, SLB&M, Iron County, Utah (APN: D-0768). Reed reported that a zone change and a Subdivision, Preliminary Plat would usually be presented separately but due to time he would present them together. The 115.04 acres would be the zone change and 41.14 acres would be for “The Farm Subdivision, Phase 1, 32 One Acre Lots.” The property was surrounded primarily by A-20 with some R-½ on the West and R-2 on the East. Access would be from 5400 West on the East side and 3900 on the West. Reed reported that all infrastructure was in place with a Cedar City Sewer on the West and Central Iron County Water Conservancy District (CICWCD) in 4500 West. Drainage would grade to the North and West with a variance of no street lights, curb/gutter.

Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the zone change and Preliminary Plat, and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission for approval, with variances on the Preliminary Plat.

Michael Bleak, Iron County Chair, declared a Public Hearing open regarding the possible zone change and proposed Subdivision, Preliminary Plat. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Paul Cozzens made a motion to approve a zone change for property currently zoned Agriculture 20 (R-20) to Residential 1 Acre (R-1) as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Marilyn Wood made a motion to approve the Subdivision, Preliminary Plat - “The Farm Subdivision, Phase 1-32 Lots, with variations, as recommended by the Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF A ZONE CHANGE FOR PROPERTY CURRENTLY ZONED RESIDENTIAL 2 ACRES (R-2) TO RESIDENTIAL 1 ACRE (R-1)

Reed Erickson, Iron County Planner, explained the property was approximately 38 acres located at approximately 2000 E 2175 South (2100 S & 2025 S), Brian Head, Utah, 47 Lots in Rainbow Meadow Ranchos Unit A, within N½ Section 30, T36S, R8W, SLM&B, Iron County, Utah. Reed reported that the property was surrounded with R-1 zoning and was currently zoned R-2. The owners were requesting the zone change to match the property around it. All owners affected by the zone change had been notified and there had been no opposition to the change. He noted that as a result there was an addition of 2 smaller lots on top and boundary changes to lots on the lower part of the property (Lot lines had been adjusted) and would need to be included with motion.

Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the proposed zone change and determined that the applicable ordinance and policies had been completed for recommendation before the Iron County Commission for approval.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed zone change. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Paul Cozzens made a motion to approve a zone change for property currently zoned Residential 2 acres (R-2) to Residential 1 acre (R-1), with the addition 2 small parcels on the top and boundary lines readjusted on the lower lots, as recommend by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED SUBDIVISION, PRELIMINARY PLAT- “PAINTED DESERT SUBDIVISION, PHASE 1-31 LOTS”

Reed Erickson, Iron County Planner, explained the property was approximately 20.64 acres located at approximately 5150 N 2300 West, Cedar City, Utah, within N½ NW¼ SE¼ & NE¼ NE¼ SW¼ Section 9, T35S, R11W, SLB&M, Iron County, Utah (APN: D-0528-4). Reed explained that Sunrise Meadows, Peak View and the Painted Desert Subdivisions all fed into the sewer line to the pump station. It had been a challenge because of the depth of lots and because some of the lots were smaller than ½ acre, a maximum density subdivision allowed density based on property. The subdivision would be a mix of one acre and ½ acre lots, and setback on lots 1-11. He noted that there was a drainage issue where one lot used to collect all the drainage from the north. Reed reported that the Iron County Planning Commission requested the owners work with the Iron County Engineer for a solution. There was a discussion of possibly having a concrete container on each side of the drainage area with an asphalt walking path over to help handle the drainage. There was a variance of no curb/gutter, sidewalk and street lights.

Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the proposed Preliminary Plat, “Painted Desert Subdivision, Phase 1, 31 Lots” and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission for approval, with variances.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed Subdivision, Preliminary Plat.

Dave Nelson, one of the partners on the project, expressed his appreciation that Iron County had not lost their culture and would work toward solutions and not just worry about the problems. He also expressed his appreciation to how productive the Planning and Zoning staff were.

Michael Bleak declared the Public Hearing closed. Marilyn Wood made a motion to approve the Preliminary Plat - “Painted Desert Subdivision, Phase 1, 31 Lots based on findings with variations of no street lights, curb and gutter, sidewalk, reduced setbacks on Lots 1-11, and replacement of drainage sidewalks with an asphalt pad as recommended by the Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF A PROPOSED SUBDIVISION, PRELIMINARY PLAT-“PEAK VIEW SUBDIVISION, PHASE V-32 LOTS”

Reed Erickson, Iron County Planner, explained that the property was approximately 20.88 acres located at approximately 2600 W Midvalley Road (4800 N) Cedar City, UT, within E½ NW¼ Section 16. T35S, R11W, SLB&M, Iron County, Utah (APN: D-597-10. Reed reported that the master plan included a road coming through Phase IV to help handle the extra traffic. Water would be served by the CICWCD, with variance of no street lights, curb/cutter and fencing.

Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the Preliminary Plat – “Peak View Subdivision” Phase V, 32 Lots” and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission for approval, with variances.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed Subdivision, Preliminary Plat for “Peak View Subdivision, Phase V”. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Paul Cozzens made a motion to approve the proposed Preliminary Plat – “Peak View Subdivision, Phase V, 32 Lots” with variances as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF PROPOSED SUBDIVISION, PRELIMINARY PLAT - "THE ESTATES AT SUNRISE RANCH-32 LOTS

Reed Erickson, Iron County Planner, explained the property was approximately 34.82 acres located at approximately 3700 N 2300 West, Cedar City, Utah, within SW¼ NE¼ Section 21, T35S, R11W, SLB&M, Iron County, Utah (APN: D-616-617). Reed reported the property was zoned R ½ and the proposal was for 1 acre lots (.95) because of drainage issues. The property was flat and they couldn't access the neighboring sewer main and as a result there was a unique sewer design created. The road was misaligned and the developer agreed to a frontage road for service and created a square intersection. The property would be served by the Central Iron County Water Conservancy District (CICWCD) with improvements for a larger system which would include fire flow. Variances to be included were: no curb/cutter, sidewalk, lighting and fencing-only on 2300 W and South boundary (fencing was present on the East and North).

Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the proposed Preliminary Plat – “The Estates at Sunrise Ranch, 32 Lots, with the shallow lot issues & drainage to be resolved, and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission for approval, with variances.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed Subdivision, Preliminary Plat for “The Estates at Sunrise Ranch. No Public Comments were offered. Marilyn Wood made a motion to approve the Subdivision, Preliminary Plat – “The Estates at Sunrise Ranch, 32 Lots” with variations as recommended by Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

No Public Comments were offered.

DISCUSSION AND POSSIBLE APPROVAL OF A LOCAL CONSENT PERMIT FOR THE "HERITAGE AND MINING FESTIVAL" EVENT THAT WILL BE HELD ON JUNE 4TH AND 5TH AT THE IRON SPRINGS ADVENTURE RESORT

Jon Whittaker explained that this was the first of a possible annual event to be held at the Iron Springs Adventure Resort. The requested Local Permit was for a Beer (only) Garden at the “Heritage and Mining Festival” event being held on June 4th and 5th.

Brad Green, a citizen of Iron County, was wondering what caused someone holding this type of event to request a permit. Jon explained that the permit was built into a state requirement for alcohol being served at an event that a local body approved the permit first. The permit was for a One-time event. State law requirement was because of alcohol being served not the event.

Paul Cozzens made a motion to approve a Local Consent Permit for the “Heritage and Mining Festival” event that would be held on June 4th and 5th at the Iron Springs Adventure Resort. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF EVENT PERMITS FOR COMMUNITY EVENTS HELD AT "RED ACRE FARM" MAY 1ST, MAY 29TH, JUNE 12TH, JUNE 26TH, JULY 17TH, AUGUST 14TH, 21ST, 28TH, SEPTEMBER 4TH, 11TH, 25TH, AND OCTOBER 30TH. APPROVAL OF LOCAL CONCENT FOR SEPTEMBER 17TH, "GATHER" FUNDRAISING EVENT

Michael Bleak, Iron County Commission Chair, struck this agenda item until additional information could be gathered.

DISCUSSION AND POSSIBLE APPROVAL OF CONTRACTORS AND BUDGET FOR THE ASSESSORS OFFICE REMODEL

Lester Ross, Iron County Deputy Building/Zoning Official, reported that the bids came in almost double the Request for Proposal (RFP) price.

No action was taken.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT WITH SOUTHERN UTAH SEALCOATING FOR THE REPAIR AND SEALING OF THE PARKING LOTS LOCATED AT THE IRON COUNTY VISITOR CENTER, PUBLIC SAFETY BUILDING AND THE IRON COUNTY COURTHOUSE

Lester Ross, Iron County Deputy Building/Zoning Official, explained that the RFP process was completed and there were 2 companies, Southern Utah Sealcoating and Spencer Asphalt, that presented bids. Overall, Southern Utah Sealcoating was the low bid at \$28,585.44 total for the three projects. Lester recommended to award the contract to Southern Utah Sealcoating for the repair and sealing of the parking lots located at the Iron County Visitor Center, Public Safety Building and the Iron County Courthouse. Marilyn Wood made a motion to award Southern Utah Sealcoating the contract for repair and sealing of the parking lots located at the Iron County Visitor Center, Public Safety Building and the Iron County Courthouse, in the amount of \$28,585.44. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

CONVENE AS THE BOARD OF EQUALIZATION (BOE)

Michael Bleak, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening as the BOE.

REVIEW AND APPROVAL REGARDING A REQUEST FROM CEDAR CITY HOUSING AUTHORITY FOR TAX EXEMPT STATUS BEGINNING APRIL 7TH THROUGH DECEMBER 31ST ON PROPERTY TAX PARCEL B-1181-C-3

Christene Lowder, Iron County Chief Deputy Auditor, explained that the home was located at 485 W 1425 North Apartment C-3 and purchased on April 7th. The Cedar City Housing Authority did qualify as a Charitable Organization and was requesting Tax exempt status beginning April 7th through December 31st. Paul Cozzens made a motion to approve the request from Cedar City Housing for tax exempt status beginning April 7th through December 31st regarding APN: B-1181-C-3. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the adjournment of the BOE and the reconvening of the Iron County Commission.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented a status change for Rich Vincent from Full-Time to Part-Time Deputy 1 in Corrections, he was leaving and requested to fill in until leave date, effective May 3rd. Marilyn Wood made a motion to approve a status change for Rich Vincent from Full-Time to Part-Time Deputy 1 in Corrections until his leave date, effective May 3rd. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire, Tracy Summerour, as a Full-Time Office Coordinator in the Children’s Justice Center, effective May 3rd. Paul Cozzens made a motion to approve new hire, Tracy Summerour, as a Full-Time Office Coordinator in the Children’s Justice Center, effective May 3rd. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented a request from Jonathan Whittaker, Iron County Clerk, for consideration to approve a request to change the approved Deputy Clerk from Part-Time to Full-Time status, with benefits. Nicole Rosenberg, Iron County Treasurer, expressed that the Clerk’s Office was indeed in need of a full-time work. Nicole noted that during Elections, Shaneal Bess was always working Saturdays and Sunday to catch up on other work. Jon reported that Shaneal put all her dedication into whatever she was assigned. He noted that a Full-Time worker would relieve pressure from the other office workers as they also put in a lot of overtime when needed. Marilyn Wood made a motion to approve the request to change the status of the approved Deputy Clerk from Part-Time to Full-Time, with benefits. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury expressed her appreciation to Nicole Rosenberg for her 20 years, on Friday, dedication with Iron County.

NON-DELEGATED ITEMS

No Non-delegated items presented.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Commission Chair



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

May 10, 2021

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 10, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Chad Dotson	County Attorney
Karsten Reed	County Assessor
Dan Jessen	County Auditor
Stephanie Furnival	County Children’s Justice Center
Lori Eichelberger	County Justice Court
Reed Erickson	County Planner
Carri Jeffries	County Recorder
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer
Jennifer Bradbury	County HR Director

SYNOPSIS

ADJOURNMENT9

ADJUSTMENTS TO THE 2021 IRON COUNTY BUDGET4

ANNEXATION TO CEDAR CITY REGARDING APN: D-620-16

APPROVAL OF CLAIMS FOR PAYMENT3

APPROVAL OF MINUTES10

DEFERENTIAL OF TAXES FOR APN: A-83-2-845

DEPARTMENTAL REPORTS.....2

FUNDING AGREEMENT WITH FIREHOUSE SUBS AND SHERIFF’S DEPARTMENT7

FUNDING REQUEST FROM ICSO AND SUU REGARDING HELICOPTER6

INVOCATION2

PERSONNEL7

PLEDGE OF ALLEGIANCE.....2

PUBLIC COMMENTS5

PUBLIC HEARING REGARDING ORDINANCE 2021-5.....4

SALE OF A 1994 CASE LOADER.....7

STRATEGY SESSION REGARDING REAL PROPERTY.....9

INVOCATION

An invocation was offered by Chad Dotson.

PLEDGE OF ALLEGIANCE

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

DEPARTMENTAL REPORTS

Chad Dotson, Iron County Attorney, expressed his appreciation to the commissioners for approving the new Attorney position. He had been a great asset covering the Justice Court. Chad reported that once the “Yellow Phase” was given from the Supreme Court they would be allowed to resume in-person trials. They would be holding a mock trial in June to practice the new safety procedures. The backlog of pending cases was increasing: 6 Murder cases, 16 Rape cases, 10 Child Sexual Abuse/Child pornography cases, 60 Assault cases (mostly felonies), 102 DUI’s, along with other cases that were awaiting trial. He reported that thus far in 2021 they had processed 514 Criminal complaints sent to their office for prosecution. Chad expressed his appreciation for those involved in the conviction/sentencing (5 Years to Life in the Utah State Prison) of two suspects that been driving in excess of 100 mph, during a high speed chase. They were arrested and taken to the Utah Highway Patrol Office when one suspect snuck up behind and tried to disarm a Police Officer, which was a felony. There had been some great successful results with the Drug Court program with graduations and jobs. He noted that there was an Asset Forfeiture the he delivered to the Auditor’s Office as a result of a traffic stop and the discovery of \$50K street value of drugs. Chad reported that the budget was on track. He attended the ribbon cutting of a new Forensic Crime Lab that opened last week in the Iron County Public Safety building at 181 DL Sargent Drive in Cedar City.

Stephanie Furnival, Iron County Children’s Justice Center (CJC) Director, reported that she oversaw the CJC’s located in Iron, Beaver, Kane and Garfield County. With the newly opened CJC in Garfield, Utah had a CJC located in every county. Stephanie explained that the CJC was a homelike facility which served children and families who were experiencing the crisis and chaos that came with the disclosure of significant physical or sexual abuse of a child. Audio and video equipment was used to preserve interviews for evidence and eliminated the need for multiple interviews. The Centers were designed to help children feel safe and comfortable so that they may begin to deal with the difficult and often frightening issues that surround abuse. The focus and function of the CJC’s was to reduce the trauma of the child abuse investigation and help the child feel safe to reveal the truth. Another benefit was to prevent multiple traumatic interviews, causing the child to rehearse the trauma repeatedly. The CJC’s were a working public/private partnership for our children. The homelike facility and the treatment programs were supported by private donations from the community. The CJC’s received partial operational funding through appropriation by the Utah Legislature, administered by the Office of the Utah Attorney General. Services that were provided by the CJC’s were: Forensic Interviews-joint forensic interviews with Law Enforcement detectives and Child Protective Services caseworkers staff. The Clinical Coordinator and the victim/witness assistant were the consistent contacts between the child and the Center; Mental Health through the Victims of Crime Act (VOCA) Certified Therapists, who actively pursue treatment with Trauma-focused Cognitive Behavioral Therapy, Abuse-focused Cognitive Behavioral Therapy, and Parent-child Therapy; Medical exams-free exams provided through a CJC were performed by medical staff from the Safe and Healthy Families Primary Children’s Hospital who were trained to work with children who may have been abused or assaulted; Court Victim Services: a victim advocate could provide emotional support during court hearings and processes; Trauma-focused Yoga classes for youth geared towards targeting trauma and recovering from victimization. Stephanie stated that each child had an inherent right to be treated with dignity. Child abuse was a community problem; no single agency, individual or discipline had the necessary knowledge, skills or resources to provide all the assistance needed by abused children and their families. Open communication and case coordination among community professionals and agencies were critical for protecting the child and promotion for justice. Stefanie reported that the Annual CJC Fun Run would be held May 10, 2021

on April 15th. It was not too late to register for the walk/run fundraiser for the Iron County CJC. Dancing with the Iron County Community Stars Fundraising Event would be coming up in the future.

Lori Eichelberger, Iron County Justice Court Administrator, reported that the budget was on track. Lori reported that she had lost one employee. The job opening was posted and they had to extend the posting. It was getting difficult to get anyone to apply as a result of COVID-19 and them making more with unemployment. The Justice Courts were still conducting hearings via the WebEx system. Small Claims had not been held as it was better served in person. The Jury Room was now doubling as a training area. Lori reported that from January through March there had been 44 DUI's, 166 Drivers License Violations, 1,803 Moving Violations, 561 Non-Moving Violations, 14 Assaults, 22 Thefts, 181 Controlled Substance/Narcotics, 23 Domestic Violence, and 121 other Miscellaneous Misdemeanors/Infractions. Citations given by Jurisdiction: Cedar City 290; Iron County Sheriff 478; and Utah Hwy Patrol 1,509. Michael Bleak and Paul Cozzens expressed their appreciation to Lori for making the Courts run so smoothly.

Paul Cozzens, Iron County Commissioner, reported that a recent United States Department of Agriculture (USDA) food distribution was successful and was held on May 6th. This "Farmers to Families" project delivered 1,248 boxes of food. Beside the individual cars that picked up boxes there were pallets sent to: Parowan (2), Enterprise, Care & Share, Paiute Tribe, KIFA, Canyon Creek Women's Crisis Center, Family Services, Several LDS Stakes, Lutheran Church, SU Holt Pantry, Episcopal Church, and BaHi. Another delivery would be on May 20th. Paul reported that he attended a water meeting with the State Engineer on April 27th regarding the Groundwater Management Plan for the Parowan Basin.

Marilyn Wood, Iron County Commissioner, expressed her appreciation to Paul Cozzens for organizing and helping with the Farmers to Families project. She reported that there would be another food distribution on May 19th at 5:30 by an organization through the Extension Office and the Farm Bureau. She did not have an address as of yet. Marilyn noted that she had attended the ribbon cutting of a new Dixie National Forest Building in Cedar City. The new building was decorated with a horse-drawn grader in front, which was the same grader that worked on State Route 14 in 1912. On April 30th the Elected Officials got together with Mike Milton regarding the current fire issues and programs.

Michael Bleak, Iron County Commissioner, reported there was a region wide mock wildfire disaster held last Friday and Saturday as if it had approached Cedar Highlands. The interagency that attended were: Fire Departments from Iron, Beaver, and Washington County, State of Utah, BLM and Federal Partners. The event concentrated on evacuations within the subdivision, knocking on doors (and asking for those who wanted to participate). If they participated they were evacuated from the subdivision, down the mountain, to the command center and coordinated with the Red Cross. Others that participated were the Iron County Emergency Management team, Sheriff's Department and Police Department. Michael reported that the newly formed Mental Health Unit in the Sheriff's Department responded to an unfortunate suicide last week. Deputy Brenda Pyres and Deputy Mary Menke, from that unit, were at the scene and helped the family there and left with the family and continued helping them with everything throughout the week. He expressed his appreciation to the response from the 2 deputies. Everyone involved that day said they were very glad the 2 Deputies were there.

APPROVAL OF CLAIMS FOR PAYMENT FROM APRIL 26, 2021 TO MAY 10, 2021

Marilyn Wood made a motion to approve Claims for Payment from April 26, 2021 to May 10, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

**PUBLIC HEARING FOR POSSIBLE APPROVAL REGARDING A PROPOSED
ADJUSTMENT TO THE IRON COUNTY 2021 BUDGET**

Dan Jessen, Iron County Auditor, gave a report on the state of the economy in general that may or may not affect Iron County. Property tax was not inflation adjusted which would adversely affect Iron County regarding revenues, Sales tax would follow market fluctuations. Price increases would result in additional revenues, but fluctuations could be detrimental. Interest Rates would increase as the market forces puts on pressure, the Federal Government increased rates to battle inflation. Dan expressed that Iron County should lock in an interest rate on bonding for the new Jail sooner rather than later. The Federal Government passed the American Rescue Plan Act (ARPA). No information as far as instructions to spend had been delivered as yet, so it was in a holding pattern at this time. He entered the funds into the Grant Revenue Line Items so it could be received. The amount was \$5.3 million, of which Iron County would receive half in 2021 and half in 2022. Dan reported on the Iron County 2021 Budget Adjustments highlights which included: Cedar City Fire invoice (for fire services in the county) increase of \$92K much higher than estimated; approved Departmental Employee changes; Recorder's Office digital conversion project an increase of \$14K: multi-year project to digitize all records may be completed in 2021 and not have to budget in 2022; Grant additions and changes; Newcastle Firehouse: applied for a Community Development Block Grant (\$200K) and a Community Impact Board Grant (\$300K) and Iron County Co-op Agreement(\$100K) for a total of \$600K; Firehouse Subs grant; Indigent Defense Grant modifications (through CARES Act) \$10K; Natural Resources Conservation Service (NRCA) Lower Coal Creek Watershed-100% grant funded; NRCS Parowan Valley Watershed-100 % grant funded; Senior Citizen Center-finishing of remodel (outdoor) was not included in the CARES grant money; Restoring Shakespeare Bond Reserve account; Assessor's Office temporary shift for subcontractors if needed to complete tax roll; Iron County Fair capital projects increase of \$185K-prices were higher than first anticipated; Bookkeeping adjustments for error fixing. Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the budget adjustments.

Volney Marin, a citizen of Iron County, asked for clarification on Property Tax did not respond to inflation. Dan explained that as property value goes up the rate floats and goes down. Revenues remain equal, except for new growth or tax increases. Michael Bleak, Iron County Commission Chair, declared the Public Hearing closed.

Paul Cozzens made motion to approve the adjustments to the Iron County 2021 Budget as presented by Dan Jessen. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

**PUBLIC HEARING FOR CONSIDERATION AND POSSIBLE APPROVAL OF
ORDINANCE 2021-5, AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING A
PARATIAL VACATED (SLANT DITCH EASEMENT) AND AMENDED PLAT OF
SUNRISE MEADOWS SUBDIVISION, PHASE 3, LOTS 7-10, 18-20, 23, 25-27, 30, & 35-
37; AND PROVIDING AN EFFECTIVE DATE**

Reed Erickson, Iron County Planner, explained the application request was an easement for a Slant Ditch that was reserved when the area was subdivided to maintain the irrigation ditch activity. Since that time, the Slant Ditch had not been used. The Slant Ditch was removed from service decades previously as an appendage to the Stevensville Ditch. At the time the subdivision was engineered there was still a head-gate in place from the Stevensville Ditch to the Slant Ditch. Shortly after, the flood waters from Stevensville ditch deepened the flood channel and took out the head-gate. Reed explained that the head-gate was never put back in and as a result there had been no water in the ditch. All the owners of the property affected by the ditch would sign the plat or agreement to vacate ditch. The slanted ditch had been filled with weed, rocks, etc. and had no use. Reed noted that neither the Sunrise Meadows Subdivision nor anyone downstream of the Slant Ditch did not make use of it.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding Iron County Ordinance 2021-5.

Debbie Nolan, owner of lot 20 & 30, stated that she had filled in the ditch after she had called Raymond Prestwich and believed she had been given permission to do so. She had lived on the property since 2012 and there had never been any water in the ditch. She was in favor of the vacation ordinance.

Reed Erickson reported that he had received emails from the owners of lots 7, 8, and 36 all expressing their approval of the proposed vacation.

Ron Fuentes, owner of property adjacent to the ditch, stated that he also had filled in the ditch after talking to Raymond Prestwich and the Central Iron County Water Conservancy District believing he had been given permission. There was no use for the ditch and he was in favor to vacate.

Natalie Andreason, owner of lot 36, reported that she had moved in March of 2020. Her first priority was a landscaping plan and just wanted to know where she could put her fence. She was in favor of vacating the ditch.

Reed Erickson reported that notification had been sent to all adjacent property owners and did not receive any negative comments. Michael Bleak declared the Public Hearing closed. Marilyn Wood made a motion to approve Ordinance 2021-5 as presented by Reed Erickson. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

Kenneth Bower, a citizen of Iron County, asked if any of the commissioners had any thoughts regarding the article he presented at the last commission meeting. Michael Bleak noted that he had read the article and deferred comments to Jonathan Whittaker who had more on hand knowledge on the subject. Jon noted that he had not had a chance to read the article all the way through. There were many things about elections that were conspiratorial and not true. Poll watchers were welcome to watch the vote count and the Logic and Accuracy test. He stated that it was hard to be against the voting system when someone does not understand the process. The Clerk's Office works diligently to make the process safe and secure. Ken stated that he did not like the mail-in ballot. Jon invited Mr. Bower to come in a talk with him.

DISCUSSION AND POSSIBLE DEFFERAL OF TAXES FOR APN: A-83-2-84

Jonathan Whittaker, Iron County Clerk, explained that applicant had some financial problems after an accident in Parowan. The property owner, Mr. Haligarda explained he had been a home owner since 1992. While he had been moving his water sprinklers on the property he fell into a water-meter manhole that had not been covered by the city. As a result of that fall he had many surgeries and had to hire out for work to continue on the property. He reported that he had bad luck with those he employed. Through the years he had accumulated a tremendous amount of medical bills which resulted in having drained his savings and 401K. Paying for the medical bills had put him behind on property taxes. Mr. Haligarda explained that he had signed up in 2018 for the senior abatement but hadn't realized he had to apply every year. His only income was from social security and he could not afford the payments to catch up. Jon noted that the back taxes due were from 2016-2017, paid his 2018 taxes through the abatement, and 2019-2020 were late. He explained that the commissioners had the option to grant a deferral or forgive the taxes owed. Christene Lowder, Iron County Deputy Auditor, explained that the abatement program was based on age and income, however they did need to apply each year. If Mr. Haligarda had applied, he would have qualified for the full abatement. Christene noted that he had the application filled out for the 2021 taxes. She removed him from the list in 2020 because he did not file in 2019 and 2020. He would now qualify for a full abatement based on information from his 2020 income.

Paul Cozzens made a motion, based on information provided regarding APN: A-83-2-74, to forgive back taxes for 2019 and 2020 and approve to defer the taxes from 2016-2017 for a payment of \$71.42 per month for 11 months for a total of \$795.62. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF APPLICATION FOR ANNEXATION TO CEDAR CITY, PROPOSED ANNEXATION PLAT FOR ONADO INVESTMENTS, LLC PARCEL APPROXIMATELY 40.02 ACRES LEAVING AN ISLAND OR PENINSULA OF UNINCORPORATED COUNTY. ANNEXATION MUST BE AGREED BY CITY AND COUNTY PER UCA§10-2-402(1)(b)(iii) (APN: D-620-1

Reed Erickson, Iron County Planner/Services Coordinator, explained that an annexation had to be approved by the County if it left an un-annexed peninsula. The area that was annexed was not approved by the County and as a result it left an un-annexed parcel located across from Gemini Meadows. If the parcel were to be annexed it would leave a larger peninsula. An Unincorporated peninsula means “an unincorporated area that was surrounded by land that was within a municipality, except where the area connects to and extends from the rest of the unincorporated area of which it was a part; and whose width, at any point where a straight line may be drawn from the place where it borders a municipality to another place where it borders a municipality, was no more than 25% of the boundary of the area where it borders a municipality.” Usually Iron County would agree to an annexation if it would “fill in” a peninsula and this would add to the peninsula. Reed reported that by State Law it did not qualify for the annexation because it left an un-annexed peninsula. Cedar City agreed to the annexation because it was part of the Cedar City Expansion Area. The problems that it would cause Iron County were: forcing someone to annex; land uses; and determining which agency would provide essential services. The owner wanted to annex into the city because it was cheaper in regard to water. Reed requested that the annexation be tabled until a water study could be done by the CICWCD to gather more information. Marilyn Wood made a motion to table Item #5 regarding annexation of APN: D-620-1. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF FUNDING REGARDING SOUTHERN UTAH UNIVERSITY (SUU) AVIATION PURCHASE OF AN ADDITIONAL HELICOPTER AND REQUESTING FOR FUNDING FROM IRON COUNTY TO COMPLETE PURCHASE

Ken Carpenter, Iron County Sheriff, introduced Corporal Devin Lauritzen as one of the Chief Tactical Flight Officer’s with an ongoing partnership with SUU Aviation. Corporal Lauritzen presented a PowerPoint presentation with a brief history of Air Operations with the Iron County Sheriff’s Office since it was established in mid-2019. Some of the Helicopters’ impacts were: A helpful response to major incidents. By having an Air Operation, it had a direct view of the incident and was able to direct the command post; gave the Search & Rescue a faster response time and expanded the search area; reduced the liability for pursuits for hostage, SWAT and other incidents; and quicker access to victims. Currently with SUU: there was a call list structure and once a page was received they were able to be in the air under 30 minutes; SUU had 38 aircraft (including helicopters and 6 Wings) with only 3 Turbine Helicopters with the capability of functioning at a higher altitude; the schedule had to revolve the schedules with the students as well as the maintenance schedules for the aircraft; access could be limited because of having to share the aircraft. Moving forward the Sheriff Department would like to increase the availability to the aircraft. With the purchase of the Bell 407: SUU had agreed that it would be given 1st priority to receive maintenance; the helicopter was equipped with essential equipment: a Forward Looking Infra-Red (FLIR); a “night sun” (a very bright spotlight) an up-to-date communication center; mapping and recording software; it would allow the officers to become more familiar with the aircraft and systems; provide a high level of service by augmenting Law Enforcement functions as well as expediting their outcomes. The Bell 407 Helicopter was currently under lease from the Delaware State Police under a “lease to own” option. The lease had to be renewed every 2 months. He explained that as long as the Sheriff Department was able to show forward motion to purchasing the helicopter they had been able to extend the lease (up to 7 months now) and they were getting to the point of having to purchase or return it. He reported the Bell 407 was known for performance in hot and high climates; currently outfitted with FLIR; advanced cockpit/NVG ready, microwave antenna; rappel mounts; hoist capability

and medical provisions inside the aircraft. In 2019 there had been 15 documented responses (not with the Bell 407) one of those in Washington County; 2020 they participated with apprehending a mother and son (rash of burglaries and thefts) in Beaver County; 2021- they had been involved in 5 major incidents (with the Bell 407) in which: 1 missing person found, 2 fleeing suspects were located, 1 wildfire response in Hamblin Valley, 1 pursuit in Newcastle for oversight helping with officer safety and public safety, successfully arresting the suspect. There had been 16 requests for the helicopter with 11 of those not being able to fulfill because of scheduling or maintenance conflicts with SUU. Corporal Lauritzen reported that several grants have already been applied for to aid in the purchase: one grant applied for in June had the capability of a total award of up to \$1.5M, but the State noted it would more or likely end up with around \$700K to \$800K leaving the remainder to be found elsewhere. The cost to purchase the Bell 407 was \$1.3 M which left approximately \$600K in the remaining purchase budget. To buy a similar helicopter it would cost nearly \$3.2 M. Sheriff Carpenter explained that SUU was asking the commission for up to \$600K to help purchase the helicopter. This would be money very well spent of Iron County if approved. Paul Cozzens asked if SUU had thought of going in partnership with other counties to help with the purchase. Washington, Garfield, Beaver, Kane, or Paiute counties would also benefit from the purchase and use of the helicopter services. Sheriff Carpenter noted that he was open to any other ideas for help with the purchase and would look in to it. No action was taken.

DISCUSSION AND POSSIBLE APPROVAL REGARDING FUNDING AGREEMENT WITH FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION AND IRON COUNTY SHERIFF'S DEPARTMENT AWARDED FUNDING OF \$24,954

Ken Carpenter, Iron County Sheriff, explained Firehouse Subs takes a portion of their sales and puts it in a Public Safety Foundation Grant. The Iron County Sheriff's Department applied for, and was awarded, a grant through Firehouse Subs to purchase 12 Invisio Communication Headsets and Accessories for the SWAT Team in the amount of \$24,954. The grant award now needed approval of funding from the commission. Paul Cozzens made a motion to approve the funding agreement with Firehouse Subs Safety Foundation and the Iron County Sheriff's Department awarding funding of \$24,954. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL TO SELL A 1994 CASE LOADER FROM THE ROAD DEPARTMENT

Jonathan Whittaker, Iron County Clerk, explained that a 1994 Case Loader broke down and the Road Department was requesting to list it on the public auction website with a \$5,500 reserve. Marilyn Wood made a motion to approval the sale of a 1994 Case Loader from the Road Department at a \$5,000 reserve. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented new hire Rylee Carter as a Full-Time Deputy Assessor-Clerical in the Assessor's Office, effective date June 1st. This was a backfill of a vacant position. Paul Cozzens made a motion to approve new hire Rylee Carter as a Full-Time Deputy Assessor-Clerical in the Assessor's Office, effective date June 1st. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer presented new hire Scott Wilson as a Full-Time Seasonal Outdoor Maintenance Technician in the Parks/Rec Department, effective date May 10th. Marilyn Wood made a motion to approve new hire Scott Wilson as a Full-Time Seasonal Outdoor Maintenance Technician in the Parks/Rec Department, effective date May 10th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF PAY RANGE ADJUSTMENTS FOR LOWER TIERED CLERICAL POSITIONS

Jennifer explained that she would be meeting with the commissioners outside of the commission meeting also, but wanted to explain what the issues were. This was the first step in an ongoing dialog regarding salaries. The figures listed were fiscally conservative for a pay scale formula that was created in 2017. The lowest on the pay scale were the clerical level employees. The spreadsheet lists the employees who had fallen the farthest behind on the pay scale, based on the hire date, length of the current position, and evaluation score. Jon Whittaker noted that there was a discussion whether to include this item on the agenda. He expressed his appreciation to Jennifer and Commissioner Wood for moving forward with it. Jennifer reported that the list included the employees name, hire date, department, and current hourly rate. The formula listed the new hourly rate suggestion for the year with their minimum, mid, and max level for that position, and what percentage they fall on the structure scale. Jennifer explained that since the discussions with the Department Heads there was a deficit between what current employees make compared to the cost to hire someone for that position if the employee left. She reported that it would be difficult, due to the current economy, to hire at the current rate. Michael Bleak explained that in 2016-17 the conversations began to build a tool to help Iron County to fairly compensate employees currently and in the future. Michael reported that in 2016-17, it was determined that, between compression issues and general low wages, the Iron County Commission funded \$700K that year to catch up to the minimum pay scale. Jennifer Bradbury explained that the 2016-7 increase was only a portion of what the formula indicated for raises and partly caught the employees up. Dan Jessen noted that during the budget hearings in 2016 Commissioner Brinkerhoff insisted on a 25 cent flat raise across the board, and nothing was done regarding the pay scale formula after that. The formula was reviewed in 2017 and there was a hybrid approach between the Pay Scale Formula (60%) and a Cost of Living Adjustment (COLA) and the COLA was implemented. Then in 2020 another COLA was implemented. Michael Bleak stated that there was a large amount of time spent with Adrion Walker, the HR Director at that time, to development the Pay Scale Formula but it was never given a chance to come to fruition. Jennifer explained that the Pay Scale Formula was fiscally conservative because it took into consideration many factors which include: the employee hire date and the time they had been in the position; the pay scale to establish where the pay range and to show where along the pay scale an employee was or should be; a COLA would move the pay scale and the formula would yield the target pay for the employee at any given time. This formula was created because under the previous "Step and Grade" system, most employees were not likely to attain the top of their pay range as identified. Jennifer explained that the list she gave the commissioners were the employees that were the lowest on the scale and needed to be fixed first. The information provided was what the raise would be if it were based on the formula vs the change of the minimum salary of the position. Paul Cozzens noted that he agreed that there were issues to be discussed and suggested that it be discussed in a private administrative setting. He explained that he came from the private sector and would like to factor in the insurance and other benefits that county employees received. Marilyn Wood asked if other counties allowed the Department Head to give their employees raises rather than commission? Jennifer reported that only public sector businesses would handle raises that way because employees were not allowed to discuss salary with others. Dan Jessen stated the single biggest challenge with public pay rates was that everything was transparent. In the private sector, the pay scale was not necessarily discussed at all. Paul Cozzens noted that he would like to learn more regarding the Pay Scale Formula created by Adrion Walker and requested further discussion. Michael Bleak stated that he would like to give the Pay Scale Formula a chance or an internal tool that could be implemented to allow Iron County to move forward. No action was taken.

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

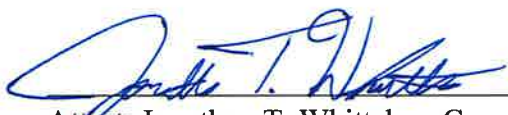
Paul Cozzens made a motion to move into a closed session to discuss the potential purchase, exchange or lease of Real Property per UCA § 52-4-205(d). Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

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

I, Michael Bleak, 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 discussion regarding the potential purchase, exchange, or lease of Real Property.



Signed: Michael Bleak, Chairman



Attest: Jonathan T. Whittaker, County Clerk



NON-DELEGATED ITEMS

Boards:

Iron County Planning Commission:

Michael Bleak reported that Blake DeMille had completed his allotted time on the Iron County Planning Commission board and would be replaced by Roger Thomas. Paul Cozzens made a motion to appoint Roger Thomas, Cedar Highlands, to serve on the Iron County Planning Commission board replacing the vacant seat left by Blake DeMille. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Reed Erickson, Iron County Planner, reported that Jim Byler had moved and his seat on the board would need to be filled.

ADJOURNMENT

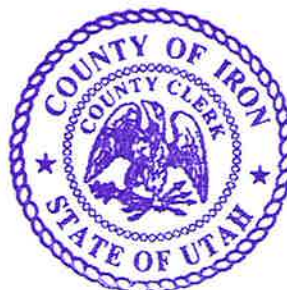
Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
MAY 24, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. May 24, 2021
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Dan Jessen	County Auditor
Curtis Crawford	County COA
Sam Woodall	County Deputy Attorney
George Colson	County Emergency Management
Jennifer Bradbury	County HR Director
Shain Manuele	County Public Defender
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	9
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
DEPARTMENTAL REPORTS.....	2
HOARY CRESS GRANT FOR 2021-2022	8
INVOCATION	2
IRON COUNTY BOOKMOBILE MEMORANDUM OF AGREEMENT	8
NON-DELEGATED ITEMS.....	9
PERSONNEL	9
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	7
PUBLIC DEFENDER GRANT APPLICATION	4
PUBLIC HEARING, COMMUNITY DEVELOPMENT BLOCK GRANT	4
PUBLIC HEARING, NEWCASTLE FIRE DEPARTMENT FIRE STATION PROJECT.....	4
PUBLIC HEARING, PRELIMINARY PLAT “HARVEST FIELDS”	6
PUBLIC HEARING, ROAD DEDICATION SUBDIVISION “FIDDLERS CANYON, LLC” ...	5
PUBLIC HEARING, LOT VACATION & MINOR SUBDIVISION “JESSOP MINOR”	7
PUBLIC HEARING, ZONE CHANGE REGARDING APN: E-268	6
TAX DEFERRAL REGARDING APN: A-504-3-23	8
TAX DEFERRAL REGARDING APN: B-1152-6-15	8

INVOCATION

An invocation was offered by Michael Bleak.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meetings held April 12, 2021 and April 26, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Marilyn wood made a motion to approve Claims for Payment for May 10th through May 23rd. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Jon Whittaker, Iron County Clerk, reported that the Clerk budget was at 26.05%, the Non-Departmental budget was at 76.17%, and the Elections budget was at 28.34%. The Clerk numbers from January 1st to May 1st were: Business Licenses – 266 active; Certified Marriage Licenses – 117; Marriage Licenses – 158 (down 25 from last year); Passports – 119 (up 15); Passport Pictures – 111 (up 14); Property sales – 29 (up 24); Sewer impact fees – 35 (up 14); Solid Waste accounts – 3,762 (up 103); Active voter numbers - 28,913; and Voter Registration forms submitted – 2,139. Jon reported that the Clerk’s Office was doing well. He noted that he had been working with Weber State University creating an accredited election program the “Olene Walker Election Certificate.” He was pleased to announce that Shaneal Bess and G’Ne Bartholomew would be attending the first classes being offered June 17th and 18th. The first day of class would cover Election Work Flow and the second class would be on the History of Elections. This program would not only benefit existing staff workers it would offer election experience through the education classes. Interviews were held for a new deputy and the individual had accepted. The Clerk’s Office was making preparations for that individual. Jon reported that he was in the process of reorganizing voting precinct areas in Iron County. He noted that this precincting was overdue with several precincts having grown tremendously. It was a lengthy process as there were many factors had to be considered. He explained that he would listen to any suggestions from all political parties in Iron County but would alleviate any possible jury meandering. The Iron County Commission would approve the changes and then it would be sent to the state for approval. The filing period for Municipal Elections would begin on June 1st.

Curtis Crawford, Iron County Council on Aging (COA) Director, reported that the Cedar City and Parowan Senior Centers were open for all activities, services and meals. The centers were no longer providing curb side meals and would return to the congregate meals at the Centers. Curtis reported that the COA had provided over 100 Meals on Wheels and approximately 40 congregate meals. The Parowan area had provided over 50 Meals on Wheels and approximately 20 congregate meals. He explained that the contract with Five County expired June 30th. The COA had met the contract agreements for telephone, visits, public information, recreation reimbursements, as well as the home delivered meal reimbursements. As a result, he reported that they should be in good shape get the maximum amount of reimbursement. He was able to get extra funding from Five County to purchase a new double oven for the Parowan City Senior Center and it should be delivered within the next couple weeks. Curtis stated that the new North wing addition had been a tremendous boost for the Cedar City Senior Citizens Center. Over the past month the center had started 9 new activities and other groups were asking to use the facility. He noted that he was amazed how many new seniors were coming to the centers daily. With the new addition and the increase interest in the center it had created a new problem. In the past the Cedar City Senior Citizens Center was considered a smaller facility. As a result of

the population growth of Iron County and the growth in the Senior Centers, they were now seen as one of the larger facilities, however, the staff numbers were still at the level of a small facility. Curtis explained that he and one Part-Time employee handled all activities and events, which was becoming overwhelming. He would like the commission to consider hiring 2 part-time employees in the future and to extend hours of operation. The budget was on track, as the normal operation were fine, but the new parking lot was not included in the budget. He closed by reporting that volunteers had been harder to obtain than in the past, but they were still getting by.

Jennifer Bradbury, Iron County Human Resource (HR) Director, reported that the budget on track. Since the last HR report, they had posted, interviewed, and hired for the following positions: 1 Full-Time Web Developer/IT Technician; 1 Full-Time Landfill Technician; 1 Full-Time Deputy 1 Sheriff Patrol and 1 Part-Time Evidence Technician in the Sheriff's Office; 1 Full Time Deputy 1 Corrections and 1 Full-Time Medical Technician Corrections in the Sheriff's Office; 1 Full-Time Office Coordinator and 1 internal promotion in the Children's Justice Center; 1 Full-Time Deputy/Clerical in the Assessor's Office; 1 Full-Time Seasonal Outdoor Maintenance Technician in the Tourism/Parks/Rec/Natural Resources; and several internal promotions in the Assessor's Office. Currently, they were in the process of hiring for the following positions: 1 Full-Time Appraiser in the Assessor's Office; 1 Part-Time Assistant Cook in the Parowan Council on Aging (COA); 1 Part-Time Deputy Auditor Accounts Payable and 1 Full-Time Deputy Auditor Accountant 2; and 1 Full-Time Deputy Clerk in the Clerk's Office. At the present time, they were currently posting and recruiting for the following positions: 1 Full-Time Fleet Operations Supervisor; 1 Full-Time Justice Court Clerk; 1 Part-Time Receptionist in the Tourism Welcome Center; 1 Part-Time IT Technician; 1 Part-Time Data Entry Clerk for the COA; and 1 Full-Time Corrections Nurse for the Sheriff's Office. Jennifer reported that to date, turnover for the five months of 2021 was 6.05% (15 positions; Worker's Compensation claims for the first four months of 2021 were \$3,574. A rebate from Iron County's health insurance provder, PEHP came in last week in the amount of \$46,109. She expressed her appreciation and congratulation to the following employees for their milestone Anniversaries with Iron County: Melanie Hall (Treasurer's Office) 15 Years in March; in April, Dan Evans (Roads Department) 15 Years, Terry Palmer (Building/Zoning) 25 Years, and Nicole Rosenberg (Treasurer's Office) 20 Years; and in May, Mark "Bones" Davis (Sheriff's Office-Corrections) 30 Years.

Shain Manuele, Iron County Public Defender, reported the budget was on track. There were still no jury trials as the Courts were still in the COVID-19 "Phase-Red". Shain explained that he anticipated being moved to "Phase Yellow" soon. They would be holding a mock jury trial in June to ensure the yellow phase would be safe. Jury selection for the mock trial would be held online. He was hopeful that they could return to in-person Jury Trials soon. They would work hard to stay within the budget while working with the backload of cases. Shain reported that they had been participating in the Appellate Pilot Program with the Indigent Defense Commission who had been handling the appeals for Iron County. It had saved Iron County approximately \$105K in the last year. With the success of the pilot program the Indigent Defense Commission would create an Appellate Division for Indigent Defendants and covering those expenses.

George Colson, Iron County Emergency Management Manager, reported that the budget was on track. George reported that the Cedar Highland mock emergency exercise went well. He was able to implement new equipment and the recently acquired Command Center. The Annual Iron Man Event held in Washington County was approaching. With an estimated 20K plus people coming to Washington County he was anticipating an overflow of visitors to Iron County. As a result, he would be meeting with Washington County on June 15th to plan a tabletop exercise to work out any possible problems. George reported that Iron County had the best volunteer base in this region. There was a new, very active, Community Emergency Response Team (CERT) in Old Iron Town. George noted that he would be sitting on a board to interview for a new state liaison with Statewide Information & Analysis Center (SIAC) to serve in the southern five counties. The Cedar City Hospital Board reached out to Commissioner Bleak and himself to meet and see the Iron County Emergency resources. Southern Utah University

asked him to evaluate an earthquake exercise with the Nursing Program. He explained that recent legislation had called for every county to have an Emergency Manager and an Emergency Operations Plan which also took in every municipality. There was a Quarterly Fire Chief meeting that he attended and he had offered to help in training the Fire Chief's if the Mayor's appointed them over the program. Marilyn Wood thanked George for his help with the USDA food distribution. Michael Bleak commented that as the Commission Liaison with Emergency Management he had been able to see firsthand all that George was involved with within Iron County and beyond. He expressed his appreciation for all his hard work.

Marilyn Wood, Iron County Commissioner, reported that she had attended the Utah Association of Counties (UAC) Convention and was able to meet commissioners from other counties. The Road Department had begun road chipping of 3900 completing ½ miles and 1½ miles on Kanarra Mountain Road. Next week they would continue on Bumblebee Road from Vandenberg Road with 1½ miles left and 1¾ mile on Hart Road. Marilyn reported that Bruce Anderson, Landfill Supervisor, had some citizens concerned with the difference of construction waste vs household waste being taken to the landfill. Most larger loads were based on weight and had to be charged by the pound. She noted that she and Bruce had created a Facebook video which gave a more in-depth information of the process. Marilyn reported that a ceremony for ownership of property of the Three Peaks Recreation Area would be presented to Iron County from the Bureau of Land Management on June 12th. Lois Bulloch, Alma Adams, and Gene Roundy, former Iron County Commissioners, had begun the creation of the Three Peaks Recreation Area.

Paul Cozzens, Iron County Commissioner, reported that the second USDA Food Distribution held May 20th was a success and it ran more smoothly than the previous distribution. Paul noted that Care and Share, Christ the King Catholic Church, Parowan City (3 pallets), Piute Tribe, various Church of Jesus Christ of Latter Day Saint (LDS) Stakes including Enterprise, Beryl and Newcastle (2 pallets), Episcopal Church, Presbyterian Church, Westview Church, Lutheran Church and individual citizens all participated. All the different organizations were a great help. The Canyon Creek Community Council with the Cedar City Interfaith Alliance were also very helpful.

DISCUSSION AND POSSIBLE APPROVAL OF A PUBLIC DEFENDER GRANT APPLICATION TO APPLY FOR GRANT FUNDING THROUGH THE INDIGENT DEFENSE COMMISSION

Shain Manuele, Iron County Public Defender, explained that this was for the annual Grant Funding for his position. He had been sent a recommendations list of what to possibly ask for in funding. He had adopted the new recommendations to continue his position, Legal Administration funding, and the possibility of an additional attorney. The application needed the signature of the Commission Chair to apply for the Grant. Paul Cozzens asked Shain if he would supply a spreadsheet with the work load that would justify the need for an additional attorney. Paul Cozzens explained that it would become a challenge for the commission to continue the funding if the grant funding was discontinued. Paul Cozzens made a motion to approve the Public Defender Grant Application to apply for Grant funding through the Indigent Defense Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING TO DISCUSS THE PROJECT AT THE NEWCASTLE FIRE DEPARTMENT FIRE STATION-TO INCLUDE A NEW 100 FOOT X 50 FOOT BUILDING WITH FIRE EQUIPMENT BAYS, OFFICE SPACE, STORAGE AND CUMMUNITY MEETING ROOM

PUBLIC HEARING REGARDING A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

intended for commercial and industrial development in Iron County.” Under 16.22.070 – Development standard: B. “road dedication subdivisions may or may not be required to provide subdivision improvements typical of subdivisions that are dividing property into multiple lots for sale or to be offered for sale.” The property was currently zoned A-20. The application was in conformance with the Road Dedication Sub Ordinance with the Right of Way (ROW) width of 66’. There was a 15’ Power Usage Effectiveness (PUE) on the front of lots and the remainder of the property created three lots. Access would be from Iron Springs Rd. 6900 W and 600 N. The East portion of the larger 1129.82 acres would split with 100-acre Subdivision. Services available were: Water from CICWCD; Septic – Sewer developed with the Subdivision. Road improvement to gravel standard – Asphalt required when rezoned or further subdivided to zone requiring pavement. Reed reported the request of variations were: Water, Central Sewer, Fire Suppression and fencing. Reed reported that the Iron County Planning Commission reviewed and discussed the road dedication subdivision and determined that the applicable ordinances and policies had been complied with for recommendation of approval before the Iron County Commission.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed Road Dedication Subdivision. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Reed Erickson explained that the motion would need to include the variations. Marilyn Wood made a motion to approve the Road Dedication Subdivision, “Fiddlers Canyon, LLC Road Dedication Subdivision (3 remaining parcels) APN: E-179, with variations as recommended by the Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING FOR DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM AGRICULTURE 20 (A-20) TO RURAL AGRICULTURE 20 (RA-20) APN: E-268

Reed Erickson, Iron County Planner, explained the zone change was approximately 185.66 acres located at approximately 3400 South 7700 West, Cedar City, Utah. The zone change from A-20 to RA-20 would allow the owner to qualify to divide the property more than 4 lots. The property was surrounded primarily by A-20 with some R-5 and RA-20. Reed reported that the Iron County Planning Commission reviewed and discussed the zone change and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed zone change from A-20 to RA-20. No Public Comments were offered. Paul Cozzens made a motion to approve the zone change from Agriculture 20 (A-20) to Rural Agriculture 20 (RA-20) regarding APN: E-268 as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING FOR DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED SUBDIVISION, PRELIMINARY PLAT - “HARVEST FIELDS SUBDIVISION, 7 LOTS” (APN: E-268)

Reed Erickson, Iron County Planner, explained this was a continuation of the previous agenda item. The proposed Subdivision, Preliminary Plat – “Harvest Fields Subdivision, 7 Lots” was approximately 173 acres located at approximately 3400 South 7700 West, Cedar City, Utah, within the NE¼ Section 5, T37S, R12W, SLB&M, APN: E-268. The access would be from 7700 W on the West side at 3400 South. There would be a transfer of ownership of a well to CICWCD and development of a new well from the property to help serve the larger area and projects. There was not sewer in the area so they would be on septic. The road improvement would be up to gravel standard, with drainage to the North and East. There were no variations. Reed reported that the Iron County Planning Commission reviewed and discussed the proposed Subdivision,

Preliminary Plat and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed Subdivision, Preliminary Plat – “Harvest Fields Subdivision, 7 Lots.”

William Pressgrove, a citizen of Iron County, asked if the proposed subdivision had stand pipes for fire protection. Reed Erickson said that there was proper fire flow. Michael Bleak declared a Public Hearing closed. Marilyn Wood made a motion to approve the Subdivision, Preliminary Plat “Harvest Fields Subdivision, 7 Lots” (APN: E-268) as recommended by the Iron County Planning Commission. Second by Paul. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING FOR DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED LOT VACATION & MINOR SUBDIVISION - “VACATE LOT 8, MEADOWS RANCH AMENDED SUBDIVISION & BENJAMIN JESSOP MINOR SUBDIVISION” (APN: E-209-8)

Reed Erickson, Iron County Planner, explained that Lot 8 was approximately 37.72 acres located at 5583 West 600 South, Cedar City, Utah, Meadows Ranch Amended Subdivision, within the SE ¼ Section 14, T35S, R12W, SLB&M, APN: E-209-2. This was a 40-acre parcel in an RA-20 zone. The applicant desired to split the parcel to have 2 parcels. Access would be from 5700 West onto 600 South. Reed reported that the ordinance allowed for minimum size reduction for road (18-acres). Water would be served by the CICWCD and be on septic. He noted that the Iron County Planning Commission reviewed and discussed the proposed Lot Vacation & Minor Subdivision and determined that the applicable ordinances and policies had been complied with and that good cause existed for granting

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the lot vacation. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Paul Cozzens made a motion to approve the Lot vacation & Minor Subdivision – “Vacate Lot 8, Meadows Ranch Subdivision & Benjamin Jessop Minor Subdivision” within the SE¼ Section 14, T36S, R12W, SLB&M, Iron County, Utah (APN: E-209-8) as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

William Pressgrove, a citizen of Iron County, explained that at the opening of the meeting we pledge our allegiance to the flag and questioned if it had just become “rhetoric” or do we really understand the implication of saying “I pledge allegiance.” It was an oath. Bill stated that the commissioners had taken an oath to be responsible to the citizens of Iron County. The citizens were “the Boss” but the zoning and Table of Uses say the commissioners were the “boss” and the citizens your “subordinates.” He asked the commissioners to take to heart the words “inherent and inalienable” as we cannot change the meaning of the words and the meaning must stay as the Utah Constitution meant them to be. Because the political power was inherent in the people, then those who were elected to office could have no power no greater than the power the people themselves had. Mr. Pressgrove admonished the commissioners take a hard look at the Iron County Table of Uses and decide if they were going to follow the Utah Constitution.

Paul Cozzens mentioned to Mr. Pressgrove that there were items in the Iron County Code that he felt needed review.

Hayden Ballard explained that he was an Attorney with the Utah Public Lands Policy Coordinating Office (PLPCO). He presently lived in Beaver and represented 4 counties in the West Desert which included Iron, Beaver, Millard, Juab Counties with any Federal Land issues. Mr. Ballard noted that he would be available for any questions and concerns regarding the land in the west desert and to feel free to contact him at any time.

**DISCUSSION AND POSSIBLE APPROVAL OF A UTAH STATE LIBRARY
MEMORANDUM OF AGREEMENT FOR IRON COUNTY BOOKMOBILE SERVICE
FOR FY 2021-2022**

Dan Jessen, Iron County Auditor, presented a Memorandum of Agreement for Iron County Bookmobile Service for fiscal year 2021-2022. Dan noted that the contract was for \$130K and was an annual renewal. He explained that the funds for this contract came from the County Library levy paid by property owners in Iron County. Part of the funds from the County Library levy also were distributed to Parowan City and Cedar City for their libraries. The Bookmobile service houses its books in a building adjacent to the Enoch City Offices and was the de facto library for Enoch City. The majority of the funding for the Iron County Bookmobile service was paid by the State of Utah. Marilyn Wood made a motion to approve the Memorandum of Agreement the Utah State Library as explained in the amount of \$130K. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

**DISCUSSION AND POSSIBLE APPROVAL OF THE HOARY CRESS GRANT FOR
2021-2022 YEAR**

Dan Jessen, Iron County Auditor, explained that Hoary Cress was a weed for which special grants were available for the specific herbicide to abate it. The Hoary Cress grant was for \$13,200 from the Utah Division of Agriculture and Food. Paul Cozzens made a motion to approve the Hoary Cress Grant in the amount of \$13,200 as explained. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE DEFERRAL OF TAXES FOR APN: A-504-3-23

Jon Whittaker, Iron County Clerk, presented a tax deferral request regarding APN: A-504-3-23. Jon explained that this was a lot in the Foothills Subdivision near I-15, west of Parowan. He noted that there was an amount owing of \$1,512.75, and that a monthly payment of \$137.52 would be necessary to pay the full amount in 11 months. Nicole Rosenberg explained that the home was not a primary residence, that the owner lived in Mesquite, Nevada. Paul Cozzens expressed that because it was not a primary residence, he was uncomfortable granting a deferral. Marilyn Wood concurred and made a motion to deny the request for tax deferral because it was not a primary residence. Second by Paul Cozzens. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE DEFERRAL OF TAXES FOR APN: B-1152-6-15

Jon Whittaker, Iron County Clerk, presented a tax deferral request regarding APN: B-1152-6-15. Jon explained that this was an unusual situation because a deferral request had been granted in 2020 by the Iron County Commissioners and that typically a second deferral request is not granted. The owner of the property is mentally challenged and failed to make consistent payments. There are multiple people living in the home who pool their resources together, but the property owner was unable to remember to make the necessary payments. A friend that also lives at the house met with Commissioner Bleak and Jon Whittaker and committed to be responsible to ensure any payments were made. As of May 24th, 2021, the amount owing was \$2,842.26. The friend had secured \$1,400 in loans from his family to pay toward the taxes. With the combined incomes of those living in the home, the owner and his friend committed to paying the balance of \$1,442.26 within 90 days, or August 24th, 2021. The monthly payment would therefore be \$480.66. Commissioner Bleak expressed that he would be willing to offer this unusual extension due to the commitment of the \$1,400, and the 90-day time frame, but that he would not be willing to extend the deferral again in the future. Paul Cozzens made a motion to accept the deferral request with the caveats that the \$1,400 be paid immediately, and monthly payments of no less than \$480.66 be made until the entire balance be paid on or before August 24, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury presented the new hire of Brittany Fisher, as a Full-Time Assessor Trainee as a backfill of a vacant position, effective May 17, 2021. Marilyn Wood made a motion to approve the new hire of Brittany Fisher, as a Full-Time Assessor Trainee as a backfill of a vacant position, effective May 17, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the new hire of Sarah Teare, as a Part-Time Parowan Cook in the Council on Aging, effective May 19, 2021. Paul Cozzens made a motion to approve the Sarah Teare, as a Part-Time Parowan Cook in the Council on Aging, effective May 19, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the new hire of Allie Meisner, as a Part-Time Deputy Auditor over Accounts Payable, effective June 2, 2021. Marilyn Wood made a motion to approve the new hire of Allie Meisner, as a Part-Time Deputy Auditor over Accounts Payable, effective June 2, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

Marilyn Wood made a motion to appoint Craig Laub to the Iron County Planning Commission effective immediately. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael Bleak, Commission Chair


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
JUNE 14, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. June 14, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Dan Jessen	County Auditor
Shalon Shaver	County Corrections Commander
Sam Woodall	County Deputy Attorney
Jennifer Bradbury	County HR Director
Bruce Anderson	County Landfill Supervisor
Reed Erickson	County Planner
Mike Worthen	County Resource Director
Kenneth Carpenter	County Sheriff
Maria Twitchell	County Tourism/Parks/Rec
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	11
APPLICATION FOR ANNEXATION TO CEDAR CITY (APN: D-620-1)	8
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
CEDAR CITY HOSPITAL ANNUAL REPORT	5
DEPARTMENTAL REPORTS.....	2
FISCAL INCENTIVE GRANT FOR OHV TRAIL SUPPLIES	10
FUNDING REQUEST FY 2022 IRON COUNTY RPO	7
INVOCATION	2
LANDSLIDE FESTIVAL LLC EVENT LOCAL CONSENT PERMIT	9
LEASE OR DEED REMAINING PORTION OF CLOSED ROAD IN SUMMIT	9
NON-DELIGATED ITEMS.....	11
OVERPAYMENT OF LANDFILL FEES	6
PERSONNEL	10
PLEDGE OF ALLEGIANCE.....	2
PRESENTATION REGARDING NAVAJO LAKE	5
PUBLIC COMMENTS	7

PUBLIC HEARING, “BRITT CREER MINOR SUBDIVISION” APN: D-531-3.....7
TAX SALE RESULTS.....10
VETERAN’S TAX ABATEMENT10

INVOCATION

An invocation was offered by Dan Jessen.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Kenneth Carpenter.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meetings held May 10, 2021 and May 24, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Paul Cozzens made a motion to approve Claims for Payment for May 24, 2021 through June 13, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Dan Jessen, Iron County Auditor, reported that the budget was on track. The Annual Independent Audit had been completed. The audit went well and he was waiting for the final report from Kimball & Roberts. It would then be submitted to the State Auditor by June 30th. Kimball & Roberts would be invited to present the findings to the commissioners in July. Dan reported that the Audit Committee would have to convene to discuss a change in the audit process that Iron County was using. He said the members of the committee were himself, Nicole Rosenberg (Iron County Treasurer), Dave Harris (a citizen representative with finance background), and one commissioner. Alma Adams was the prior commission member and where he retired a new member would need to be appointed. The meeting would be held after Kimball & Roberts presented their report. Dan explained that the possible change would be to create a Comprehensive Annual Financial Report (CAFR) program in house. The transfer to the CAFR program would be a lot of work and a lengthy process. In the past the external auditor did the CAFR then in turn did the audit. The state Auditor had been pressuring counties to not have the same firm do the CAFR that did the audit. The software that Iron County currently uses, Tyler, had a built in CAFR Program and Dan would begin the training for it from the IT Department. He reported that the recent personnel changes in the Auditor’s Office would facilitate performing an annual in-house CAFR. Dan reported that Allie Meisner was recently hired as Part-time Accounts Payable and had been doing well with her training. Lucas Little was the new Full-Time Deputy Auditor Accountant 2 beginning today (June 14, 2021). Dan expresses his appreciation to Christene Lowder for her excellent service for an impressive 27 Years. Everyone was invited to her retirement party on July 1st from 12:00 to 2:00 in the upstairs Conference room of the Iron County Courthouse. The May Tax Sale had been accomplished fully online with no problems. The online sale allowed access to a larger buyers’ market and all but one property was sold. This year Iron County used Bid for Assets for the online tax sale and was considering changing to Public Surplus. Dan reported that tax rates were in the process of being set with the Fiscal Year Entities within Iron County. He explained that as the Auditor he sets the Certified Auditors Tax Rate which was the new levee for them. This gave them the amount of revenue that they received during the previous year plus any new growth. The entities then have the option to accept the rate, reduce the rate and receive less revenue, or to increase the rate which would necessitate “Truth in Taxation.” Brian Head would be implementing Truth in Taxation. He had not heard from the Iron County School District but had heard that would likely seek a rate increase, resulting in the Truth in Taxation process. Dan reported that he had completed the American

Rescue Plan Act (ARPA) submission and that it was finalized. He explained that there had been a great deal of fraud regarding the claims money which resulted Dan having to submit to several identity proofs. Iron County could begin seeing ARPA funds within the next week or two.

Maria Twitchell, Iron County Executive Director of the Cedar City/Brian Head Tourism Bureau, reported that as of May 31st the Transient Room Tax (TRT) budget was at 52% and the Restaurant Tax budget was at 33%. The dues budget would need to be adjusted due to her keeping a software program that tracked the short-term rentals. Maria explained that the software had become valuable as it gave access to the true impact short-term rentals were having on the visitor economy. She reported on Collections: TRT was up 62%. Brian Head had their best winter season ever with 270K skier days; Restaurant Tax was up 20%. Cedar City hotel occupancy was up 7% year to date. Maria reported that a homeless person had started a fire at the Tourism Building that resulted in damage to the exterior of the building and front door. She noted that she was in the process of applying for three grants offered from the Utah Office of Tourism. Two were the typical marketing grants for ski and off-season promotions for approximately \$500K. The other grant was a new grant for helping communities/counties in sustainable tourism action plans. Iron County Tourism was in a cooperative agreement with Kane and Garfield Counties on a grant to produce an episode of "Outdoor TV" that would focus on travel preparedness. This would increase education to help reduce the amount of Search and Rescue calls. Maria reported that the department was incredibly busy with the summer campaigns. Billboards were now along I-15 and I-70 from Las Vegas to Layton. There were radio advertisements in Las Vegas and on KSL in the Wasatch Front. There had been some major media hits including USA Today and Thrillist with an estimated media value of \$1.3M. Baseball and Softball Tournaments were back in Iron County every weekend, except July 4th and 24th, beginning April 25th through mid-October. She was pleased to announce that the Utah Shakespeare Festival was returning this summer with every indication that it would be a banner year. The hospitality business was lacking employees for most open positions. Sadly, several businesses were closing during the day due to staff shortages.

Maria reported that the Outdoor Recreation budget was at 27% budget. There would need to be an adjustment to the fuel budget by the end of the year. They have had additional mileage on the parks truck as a result of overseeing the 5 Mile Picnic Area recovery. Fuel was not currently covered by the grant and with the increase in gas prices and construction costs the adjustment was needed. Maria noted that she was looking into the different grants that were available. Mike Worthen, Iron County Resource Director, was awarded a Utah Outdoor Recreation Grant for the Vermillion Castle/5 Mile Picnic Area in the amount of \$119,092. She reported on the events that would be held at the County Parks: Utah Summer Games Moto Trial and Shooting in June; Rock Crawl (New event) in August; Belgium Waffle Ride in August; Off Highway Vehicle (OHV) Race-date to be announced; Cedar Half Marathon in September and the High School Mountain Bike Region Races (High School and Junior High Teams) in September and October. Revenue for the parks was slightly up from this time last year at \$6,025 compared to \$5,446 in 2020. Maria noted that boulders would be placed around the ice rink site at Woods Ranch. The rink was removed for the summer season, garbage was picked up and seed was put down, but with no significant moisture the seed had not germinated. A new vault toilet was ordered for Woods Ranch to be placed in July near the pavilion. Maria expressed her appreciation for Bryan Dangerfield for covering his workload above and beyond what was expected. The Three Peaks Patent Celebration was rescheduled for September 25th (Public Lands Day) at 9am at the large pavilion. She had invited key people who were part of the original Three Peaks development including past Commissioners Lois Bulloch, Alma Adams and Wayne Smith, Art Tait and Anne Stanworth. A proposed name for the pavilion was "The Lois Bulloch Pavilion."

Kenneth Carpenter, Iron County Sheriff, reported that the Sheriff's Department had changed their training regimen from block training to incremental training, which had been very positive and had led to improved and increased training hours in recent years. The Sheriff Department had initiated a Mental Health Unit (MHU) Task Force. They were looking forward to working with South West Mental Health to get a Full Time counselor on the team, and creating a 23 hour mental health center in Iron County to follow through after patients were taken to the emergency room and released. It would help ease the confusion and worry for families. They were in the process of starting a Child Abduction Response Team (CART). Sheriff Carpenter reported that the interagency Drug Task force would train teams for the process of finding missing children. The Sheriff's Office was very active in internet Crimes Against Children (ICAC); Drug Task Force and Metro SWAT. Sheriff Carpenter reported on the Total Incident Reports since January 1st: Accidental Gun Shots-3; Assault with a firearm-1; aggravated assaults-2; air support-8; burglaries-14; child abuse/neglect-12; felony offenses-71; fires-31; K-9 deployment-104; Mental Health Unit-30; misdemeanor offenses-433; other offenses-693; public relations-7; search and rescue-10; sex crimes against children-6; other sex crimes-12; welfare checks-17; drug cases-172 and DUI-24. He reported there were 2 new Deputies, Gary Orton and Marshun Swinney in the Field Training Officer course and one, Skyler Davis at Peace Officer Standards & Training. Sheriff Carpenter reported on Future Operations and Concerns: Since the first of the year, he had signed off on nine new or extensions to current subdivisions-most average 82-86 new single homes and one for 250 new single-family homes. With the increase of new move-ins there had been an increase of calls for service, which would require him to add 4-6 Deputies to the department.; vehicles: He expressed his appreciation for all the commission had done to replace vehicles over the past two years; Jail: visited Uintah's Jail facility and met with Layton Construction at the new State Prison and would be meeting with Layton again to discuss the jail design.

Volney Morin, a citizen of Iron County, asked Sheriff Carpenter that with respect to a recent accident at the shooting range if there were any charges? Sheriff Carpenter said that the incident was classified as accidental and no charges were filed. Mr. Morin then asked if fireworks were not allowed out of the Cedar City limits was there going to be any notification to public? Sheriff Carpenter noted that it was posted on Sheriff website. Jon Whittaker, Iron County Clerk, noted that fire restrictions were listed on the back of solid waste billings also. Marilyn Wood expressed her appreciation to Sheriff Carpenter for participating at the Farmer Bureau meeting.

Marilyn Wood explained that Scott Stubbs, President of the Iron County Farm Bureau, had just texted her asking how Greenbelt worked as far as some property owners were not allowing ranchers to go on their greenbelts this year as a result of the drought, and if they were allowed to do so. She asked Karsten Reed, Iron County Assessor, if he could answer the question. Karsten reported that he would meet with Brady Kelsey of the Utah State Tax Commission, to determine what could be done regarding the drought and those parcels not being able to meet the threshold of greenbelt. Karsten noted that he would ask Braden Beaumont to address the drought issue on the greenbelts at the next commission meeting.

Shalon Shaver, Iron County Corrections Commander, reported that the Jail budget was at 37%. Current Revenue for 2021 was \$395,253. Culinary cost was down slightly at \$1.05/tray. Shalon reported that there were 263 total bookings and 147 inmates. Of those, 10 were State and 29 were Federal. The Justice Court held a mock trial to test COVID safety protocols and it went well and were hoping to get back to in-person trials soon. The jail had some violent criminals that had been held for a long period. There was an increase of Attorney phone visits from booking at 67. She reported that the Work Crew was back in service and was in high demand. The crew had worked 603 hours in the 2nd quarter. There was a vacancy for a Part-Time LPN Registered Nurse, which had been opened for the third time. Some of the planned projects were: In-line grinder for sewer, J-block door, medical department expansion, fire alarm system required an upgrade and the new jail planning.

Marilyn Wood, Iron County Commissioner, reported that she had attended an Iron County Farm Bureau meeting. David Bosshardt was pleased that the dikes were fixed on Shoal
June 14, 2021

Creek in Beryl. Marilyn announced that the Utah Summer Games would be back in Iron County and the Open Ceremonies would be held on June 18th.

Paul Cozzens, Iron County Commissioner, reported that he had attended the 5 County Public Health meeting last week. Paul explained that there had been some discussion from Washington County regarding combining the Behavioral Health and Public Health Departments with one director. They discussed the challenge of Septic Tanks in Brian Head as a result of the growth of the town. He reported that he and Commissioner Wood visited with David Burton, Parowan City Council, regarding Off-Highway Vehicles (OHV's) speeding and damaging the Dry Lakes Road. Paul reported that he attended the First Annual Mining Festival at Iron Springs and it was a success. Evan Jones presented a history of mining in Iron County. He attended the morning session of the Miss Iron County Rodeo on the 5th of June and noted that Marilyn Wood had attended the afternoon session. He was impressed with the young women and leaders who work with them. He noted that the pageants were a great way for our youth to present themselves in front of the public and gain confidence in themselves.

Marilyn Wood reported that the Water Festival hosted by the Central Iron County Water Conservancy District (CICWCD) would be held on June 26th at the Cedar City Main Street Park beginning at 10:00 am.

Michael Bleak, Iron County Commissioner, reported that he had met with all the Fire Chiefs in Iron County regarding the drought and water shortage and to discuss tactics for responding to fireworks complaints and possible fires. The Fire Chiefs, as an Association, were creating a letter to the Governor's Office requesting specific fireworks restrictions. Mike reported that all of the Fire Departments in Iron County were coordinating their services during the upcoming holidays. Brian Head would not be launching fireworks this year. As a result, they had committed 2 of their engines to assist in patrolling the Cedar Valley and Enoch areas. Last year there were 34 fires related to fireworks on the 4th of July alone. They were making sure that all areas of Iron County were covered for first responder fire services.

PRESENTATION REGARDING NAVAJO LAKE

Richard Hepworth, DWR Region Fisheries Manager, explained that the Utah Chubs were taking over Navajo Lake. The Department of Wildlife Resources (DWR) would begin treatment to get rid of the chubs in early September after the holidays and hunts. Richard noted that he had visited with Kane County officials with the same information. There would be some controversy surrounding the treatment project because all the fish would be killed and the DWR would restock the lake when the treatment was complete. He reported that there would be a public hearing held in Kane County for more information on the project to help minimize any conflict. The last treatment of chubs in Navajo Lake was in 1997. Michael Bleak asked what would happen with the trout population. Richard noted that the public would be allowed to catch as many fish as possible then the remainder would be killed. Because of the chubs and the low water level there were not many fish left. Richard noted that it was a rough year for fish in all areas of the state.

Mike Worthen, Iron County Resource Manager, asked Mr. Hepworth if the rumor about a boat ramp going in was true. Mr. Hepworth reported that it was true. They were in the process of finding a grant to help pay for the cost of the boat ramp.

CEDAR CITY HOSPITAL ANNUAL REPORT

Eric Packer, Cedar City Hospital Administrator, explained that it was required to report annually that the Cedar City Hospital was adhering to the standards and requirements and to present that proof to the Board of Equalization. Eric reported that most citizens wanted to know how the COVID situation was at the hospital. The Cedar City Hospital did very well with COVID patients and as numbers went down there was a time that there were no COVID patients. The numbers were beginning to increase again. At the end of last week there were 8 COVID positive patients in the hospital, and as of this morning there were 4 COVID patients at the hospital, with 3 of those 4 in the ICU. All precautions were still being followed. He reported the new services offered by the Cedar City Hospital since the last report in 2020 were: The Neuro

and Pediatric Rehabilitation Center opened last July; the new Imaging Center was open and the grand opening would be held this week; a new Hospital at Home concept; 5 new Telemedicine Services had opened; 10 new Medical Physicians added to the staff (all with active privileges). Eric reported on future major projects: a remodel and moving of the Nurses Station on the Med-Surg Floor; expanding the Pharmacy to become more available and efficient; and a remodel of the Nursery. They had also completed a major refresh of the mechanical systems; moved some landscape areas to be more environmentally friendly; painting and flooring changes, and dedicated one of the rooms in the Emergency Rooms for a secure holding space for Behavioral Health Patients. Mr. Packer reported that Cedar City Hospital had received various award in the last year. Those awards included: Top 20 Hospital Award for the 6th year in a row (the only Hospital to ever achieve that status); 5 Star Hospital with CMS; Grade A with Leap Frog (Safety); Top 100 IBM Watson (out of the top 20 Small Category Hospitals, Cedar City Hospital was #50). The six elements required to demonstrate ongoing not-for-profit operations were: 1. Must be a Not-for-Profit Organization; 2. No Private Inurement; 3. Availability of services; 4. Clinical need vs ability to pay; 5. Charity to the community; 6. A satellite facility. Any profit that was made at the hospital was returned to the community in various ways. In the last year the Cedar City Hospital gave \$3,842,773 to charities within the community.

Jordan Merrill, Cedar City Hospital Community Health, reported that there was a Community Health Needs Assessment that was revisited every three years. The last assessment was completed in 2019. The new assessment process would begin in July to bring in all the non-profit partners, schools, and the general public to pull in data to determine what the greatest health needs were in the community. The last three years the health needs were; improve mental health, avoid diseases and injury, suicide prevention, and access to air quality.

Marilyn Wood expressed her appreciation for the help the hospital offered her family with their bout with COVID. Bill Pressgrove asked Mr. Packer if they thought they were reporting to the Board of Equalization. Mr. Packer replied that he did not but they did touch base with them also. Mike Bleak noted that the agenda item was listed correctly. Paul Cozzens expressed his appreciation for all the services the Hospital provides. Mike Bleak also expressed his appreciation for the open communication he had always experienced with them and being able to work together for support.

DISCUSSION REGARDING REFUNDS OF OVERPAYMENT OF LANDFILL FEES NEAR TO THE SALE OF PARCELS

Bruce Anderson, Iron County Landfill Supervisor, explained that some customers who had recently sold their property had asked for a refund from the Iron County Clerks' Office for their payment of Solid Waste/Landfill fees. Cal Robinson, Security Escrow & Title, explained that customers have access to Bill Pay and payoff their payments at end of closing. The Escrow company does try to check to see if any outstanding payments were due on the property. Sometimes there was an overpayment that showed up on the report. He felt that the overpayment was due to those who made the payment. If not, it was prorated to the buyer of the property. Jon Whittaker, Iron County Clerk, noted that a debt and or overpayment stayed with the property. Marilyn Wood noted that Iron County did not receive any of the money. Mr. Robinson stated that it should be treated the same as getting extra interest on a loan payoff. Jon Whittaker explained that the Clerk's Office had implemented a new procedure to continue to flag accounts that were selling; continue to explain to customers that call in how the fees work at closing and, beginning June 1st, to watch for duplicate payments (in the form of checks) from the title companies, and call the title company to see if they wanted the check returned or processed. Iron County would not be reimbursing sellers that had overpaid near closing. The Clerks' Office would support Bruce. Bruce explained that the overpayment doesn't go to county and it would pay forward to next payment due. The commissioners expressed that the Clerk's Office should make reimbursement in situations of overpayment. Jon Whittaker said he would make sure it happened.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED MINOR SUBDIVISION “BRITT CREER MINOR SUBDIVISION, 3 Lots”

Reed Erickson, Iron County Planner, explained that this item was a recommendation from the Iron County Planning Commission for approval. The proposed Minor Subdivision was approximately 19.48 acres located near 2530 W Midvalley Road, Cedar City, within the E½, SE¼, SW¼ Section 9, T35S, R11W, SLB&M, Iron County, Utah (APN: D-531-3). It was directly across from Peak View Subdivision to the South, Rancho Bonita to the East and Midvalley Estates to the West. Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed Minor Subdivision, “Britt Creer Minor Subdivision, 3 Lots.” No public comments were offered. Michael Bleak declared the Public Hearing closed. Reed Erickson reviewed Iron County Code 10.20.130-Minor Subdivision Approval and reported that all requirements had been met. Marilyn Wood made a motion to approve the Minor Subdivision “Britt Creer Minor Subdivision, 3 Lots” with findings, as presented by Reed Erickson. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

William Pressgrove, citizen of Iron County, explained that on May 30th we commemorate those who lost their life in protecting liberty and justice for our county. At the opening of the meeting, we pledge our allegiance to the flag “with liberty and justice for all.” June 6th was D-day and we honor those men that kept this country free. September 11, 2001, nine individuals killed over 3,000 people on our land. He asked the commissioners if they thought those nine individuals’ ideology was for “liberty and justice for all” or was it for the “greater good.” With those two phrases in mind, which would go along with “no building may be erected, and no existing building shall be moved, altered, or enlarged, nor shall any land, building or premises be used, designed, or intended to be used, for any purpose, or in any manner other than allowed by this title or amendments thereto, and as allowed and authorized by any other provisions of the Iron County Land Management Code.” Mr. Pressgrove ended by stating “with liberty and justice for all” or “for the greater good.”

Steve Johnson, a citizen of Iron County, stated that the commissioners were elected with ideals of freedom and thoughts of what they could do for Iron County. As soon as you took office and got comfortable in the position it became clear the State and Federal Government would not allow you to work on those ideals. Hyrum L. Andrus stated that “in the last days the people of God would have to run things according to his way instead of man’s ways.” This was what we do by force. In a position of influence, it could boil down to extortion of a whole town of people. He encouraged the commissioners to get back to their ideals as much as they could.

FUNDING REQUEST FY 2022, IRON COUNTY RURAL PLANNING ORGANIZATION (RPO) FUNDING CONSIDERATION AND POSSIBLE APPROVAL. PAID FROM THE PLANNING PORTION OF THE LOCAL CORRIDOR PRESERVATION FUNDS. REQUESTED AMOUNT OF \$44,000. PREVIOUSLY APPROVED BY RTEC/COG

Reed Erickson, Iron County Planner, explained the was the annual request to provide funding for the RPO. The annual requested amount of \$44K would come out of the Planning Portion of the Local Corridor Preservation fund. Reed reported that the requested amount was previously approved by Rural Transit Executive Committee/Council of Governments. Paul Cozzens made a motion to approve the request from the Iron County Planning Organization funding in the amount of \$44K to be funded from the Planning Portion of the Local Corridor Preservation Funds as explained by Reed Erickson. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

**CONSIDERATION OF APPLICATION FOR ANNEXATION TO CEDAR CITY,
PROPOSED ANNEXATION PLAT FOR ONADO INVESTMENTS, LLC APN: 620-1**

Reed Erickson, Iron County Planner, explained that the parcel was approximately 40.02 acres leaving an island or peninsula of unincorporated Iron County. The annexation must be agreed by Cedar City and Iron County per UCA§ 10-2-402 (1)(b)(iii), APN: D:620-1. Reed noted that in the May 10th Commission Meeting the annexation was tabled until a water study could be done by the CICWCD to gather more information. He gave a brief overview of the previous discussion. If the parcel were to be annexed it would leave a larger peninsula. Usually, Iron County would agree to an annexation if it would “fill in” a peninsula and this annexation would add to the peninsula. Cedar City did agree to the annexation as it was part of the Cedar City Expansion Area. The concern with the annexation was having the CICWCD changing the water fee structure and the requirement for development and water rights as development occurred. There was a discrepancy in the way Cedar City and the CICWCD approached the requirements for water rights and fee structure. The area in question was just north of 3000 North and Airport Road (2300 West). Monarch Meadows Subdivision was on the East side of 2300 West, Flying L Ranch and Gemini Meadows in the Cedar City area. This created a “patchwork” area of annexed and un-annexed property. Reed explained that it had been difficult to coordinate with Cedar City in the past with annexing. Some of the annexation laws had changed regarding how notification was handled. There were also changes from the Legislature this year regarding notification which would help make it easier to coordinate with Cedar City. The largest problem was an area annexed earlier that was having problems developing it because of the cost of getting water and sewer and being able to serve that in Cedar City. The owner of that property approached Iron County regarding the process to de-annex from Cedar City and return it to the Iron County Unincorporated area. It would be difficult to take it out of Cedar City because of Iron County requirements for connecting into sewer. If the subject property was annexed into Cedar City, it would leave only an 11.7% opening of un-annexed property that should be over 25% in order to not be classified, by definition, as a peninsula. The only way it could be annexed into Cedar City was it had to be agreed upon between Cedar City and Iron County. Cedar City had agreed to the annexation. Now Iron County had to determine if it would agree with the annexation. Should Iron County determine that it was not in its best interest of development and growth in the area, and services then it could say no and not agree with the annexation. The owner of the property, Mr. Onado desired the annexation for two reasons: 1- The ability to develop the property with far less water requirements under the Cedar City Standard; 2- He could develop to a higher density for the development that was previously allowed before the adoption of the R4K Ordinance in Iron County. He still desired to continue with the annexation into Cedar City and understood Iron County’s concerns with the peninsula. Marilyn Wood asked Reed if he would explain the reasons and challenges of not wanting an island or peninsula. Reed explained that, generally the reason by the State, by definition in the Statute, an island or peninsula left on unincorporated land should not happen was because of the provision of services; where infrastructure comes from; hopping over one boundary to serve the area for emergency services; water and sewer infrastructure; unincorporated water systems overlap the city systems. It becomes more difficult for the different provision of services (snow plowing included) hard to come together. This was not good planning, not good development, not good for the citizens paying taxes, paying for services with the overlapping and confusion. In this particular case there were some advantages to not annexing: the CICWD had property above the other subdivisions and could then force the developer to bring water down to the other properties that don’t currently have central water available through CICWCD; no advantage with sewer as they would hook on to the city central sewer; infrastructure would be different; the Stevensville ditch Flood Control channel was a concern that runs up the east side of the unincorporated area. The ordinance required a setback of an infrastructure building of 100 feet from the flood channel to protect the property and to allow the channel to move with high flood conditions. Cedar City annexing the property would not have that same setback requirement. Cedar City had a smaller setback and he was working with the Cedar City Engineer to have similar setbacks for the county and city. There were pros and cons to the annexation. Paul Cozzens asked Reed if the

commission did approve the annexation and water would be available from the southwest corner through Cedar City and would it allow the property across to annex in. Reed explained that the policy used stated that even if property in an existing peninsula and wanted to annex, would be approved because the peninsula could be filled in. Where the opening was so large the other annexation would create more problems down the road. The area that Paul Cozzens was questioning would not probably not happen unless Cedar City changed their position of infrastructure. Paul Cozzens noted that no matter what Cedar City does with their annexation plan (Flying L Subdivision as an example) some do not want to be in the city which was why they moved out there. Reed stated that it was not a good situation and should be avoided when it could. Paul Cozzens noted, regarding the Stevensville ditch, if there was a flood and it flooded the subdivision it would become the responsibility of Cedar City. Reed reported that Iron County was responsible when flooding occurred even in the cities and the Stevensville ditch was well maintained. Marilyn Wood made a motion for approval of the Cedar City Annexation Plat for Onado Investments, LLC (Mike Coronado) Parcel-40.02 acres leaving an Island or Peninsula of unincorporated county, APN: D-620-1. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A LOCAL CONSENT PERMIT FOR THE “LANDSLIDE FESTIVAL, LLC” EVENT TO BE HELD ON JULY 29TH – 31ST

Kali Takau, Three Peaks Oasis Landslide Festival, explained that they were working to bring the largest Landslide Festival in Southern Utah. Activities included a 130-foot Water Slide Launcher, Zip Line, UTV Tours, Blob Launch, Paddle Boarding, College Concert, Food Trucks, Vendor Booths, Beer Garden and more. There would be no outside alcohol allowed into the Festival and consumption would be in a secure location. The Festival would regulate the sales and consumption of alcohol within the Beer Garden. Kali reported that the date for the Festival would July 30th – 31st. Reed Erickson reported that the Iron County Planning Commission previously approved an amendment to the Three Peaks Oasis Conditional Use Permit that would accommodate this type of event. Improvements were made for more parking space and for the increase of persons attending. Paul Cozzens made a motion to approve the Local Consent Permit for the “Landslide Festive” event to be held on July 30 & 31st at the Three Peaks Oasis from 11:00 am to 11:59 pm. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION OF POSSIBLE SALE, LEASE OR DEED REMAINING PORTION OF A CLOSED ROAD, 100 WEST IN SUMMIT, UTAH TO THE OWNER OF THE ADJOINING PROPERTY

William Rafti, owner of adjoining property, explained that he had brought the portion of the closed road to the commission in 2016 and thought the request to buy it would be simple, but it had now dragged on for five years. Jon Whittaker explained that this road had been presented to the Iron County Commission in 2015 or 2016. The issue was if the land in question was a road. The commission appointed Commissioner Alma Adams to study the issues if it was a road or not. The 1869 recorded townsite map showed it as a “Closed Street”. Mr. Rafti noted that there were two other “closed streets” that had been deeded to the adjutant property owners, before the law was changed. He was requesting that the portion of land within the “Closed Road” (100 West Street) adjacent to his property line be deeded to him. Jon Whittaker explained that the law had changed and stated that when a road was vacated it would be divided down the center of road and deeded to the adjacent parcels. If it was never intended to be a road, then it becomes a parcel which the commission could convey the property over. On the original “Summit Town Plat” the land/street in question was dedicated to the county. He stated that the issue was to find the definition of “closed street,” and with help from the County Attorney and County Engineer they could clarify the definition and then make a decision. Michael Bleak declared the item be tabled until a clear definition for “closed street” could be determined and brought before the Iron County Commission on the July 12th agenda.

CONSIDERATION AND POSSIBLE APPROVAL OF FISCAL INCENTIVE GRANT (FIG FY21 Q4 – APR 13) FOR OHV TRAIL SUPPLIES

Mike Worthen, Iron County Natural Resource Management Specialist, explained that when he applied for the grant in April he had included the purchase of a Flatbed truck for the Department. He was awarded the grant but unfortunately they did not approve the vehicle. Mike reported that the grant funding that was awarded was for \$1,500 with a match of \$1500 from Iron County. Mike Worthen reported that he would apply his salary of \$1500 for the match. Marilyn Wood suggested that Mike talk with the Road Department to possibly use one of their vehicles when needed. Marilyn Wood made a motion to approve the Fiscal Incentive Grant (FIG FY21 Q4 – Apr 13th) for OHV Trail supplies. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

REVIEW AND POSSIBLE APPROVAL OF THE RESULTS OF THE IRON COUNTY 2021 TAX SALE HELD THURSDAY, MAY 27TH

Christene Lowder, Iron County Chief Deputy Auditor, explained that the On-line Tax Sale held online on May 27th was a success with all but one property being sold and one other property had a bid but the bidder refused to pay. The bidder next in line declined the property. The two properties would be turned over to the county. A deposit of \$250 was required for lower value parcels and \$2,500 for higher value parcels. Iron County collected (taxes, penalties, interest) \$27,405.62 owed to county, \$37,987.69 addition for fees, and \$504,472.69 became surplus funds to be claimed by those who lost their property. Christene reported that she would prepare a letter to inform those that had surplus money owed to them. Paul Cozzens made a motion to approve the results of the Iron County 2021 Tax Sale held Thursday, May 27th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONVENE AS THE BOARD OF EQUALIZATION (BOE)

Michael Bleak, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the BOE.

REVIEW AND POSSIBLE APPROVAL FOR VETERAN'S ABATEMENT FOR THE 2020 TAX YEAR

Christene Lowder, Iron County Chief Deputy Auditor, explained that this Veteran applied for his Abatement and submitted it in April. He then inquired about being eligible to apply for an abatement for 2020. Christene noted that if a veteran requested for the previous year they were able to go back one year. He was eligible for the abatement in 2020. Marilyn Wood made a motion to approve the Veteran's Abatement for the 2020 Tax year. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Christene stated that as of June 13th she would have been working for Iron County for 27 years. She said that it had been great working for Iron County. Michael Bleak expressed his appreciation for all the help he had received from Christene and that she would be sorely missed.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the adjournment of the BOE and reconvening of the Iron County Commission.

PERSONNEL

Jennifer Bradbury presented an Appraiser Certification pay rate adjustment for Teresa Caldwell, effective June 13th. Marilyn Wood made a motion to approve the Appraiser Certification pay adjustment for Teresa Caldwell in the Assessor's Office, effective June 13th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented Utah Prosecutorial Assistant (CUPA) certification pay adjustments for Holly Buhрман, Sandra Capps, Lacy Mitchell, Calleen Mason, Susan Carter and Amy Robinson in the Attorney Department, effective June 13th. Paul Cozzens made a motion to

approve CUPA certification pay adjustments for Holly Buhrman, Sandra Capps, Lacy Mitchell, Calleen Mason, Susan Carter and Amy Robinson in the Attorney Department, effective June 13th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented a promotion with corresponding pay for Carrie Christensen from Deputy Auditor Payroll Specialist to Chief Deputy Auditor, effective June 13th; an approval for a promotion with corresponding pay for August Franklin from Deputy Auditor Accounts Payable to Deputy Auditor Account 1, effective June 13th; the new hire of Lucas Little as a Full-time Deputy Auditor Accountant 2, effective June 14th in the Auditor's Office. Marilyn Wood made a motion to approve the personnel changes in the Auditors office as presented by Jennifer Bradbury. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire Brandy Robb as a Full-time Deputy Clerk in the Clerk's Office, effective June 14th. Paul Cozzens made a motion to approve Brandy Robb as a Full-time Deputy Clerk in the Clerk's Office, effective June 14th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire Lois Nackerud as a Part-time Data Entry Clerk for Council on Aging, effective June 29th. Marilyn Wood made a motion to approve Lois Nackerud as a Part-time Data Entry Clerk for the Council on Aging, effective June 29th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire Lynda Bishop as a Full-time Justice Court Clerk in the Justice Court, effective June 28th. Paul Cozzens made a motion to approve Lynda Bishop as a Full-time Justice Court Clerk in the Justice Court effective June 29th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury expressed her appreciation for the willingness of the commissioners to learn about the pay scale spread sheet created by former HR Director Adrion Walker. She explained that this was a continuation of the prior discussion of pay range and pay rate adjustments for lower tiered clerical positions. Jennifer presented the commissioners with a spreadsheet containing the 26 lowest paid Iron County Employees, the current wage, wage if the salary was not brought up to minimum, wage if brought up to minimum, and the final wage would bring up the employee to the current Pay-scale increase not to exceed \$72,092.88. Michael Bleak noted that the pay scale for the Iron County employees had been a problem for a while and he went to Adrion Walker regarding the raise program. Adrion put a lot of work and time to create this program. Mike said that the process should be given time to prove itself so the county could continue to move forward and stay on top of the program. He expressed his appreciation to Jennifer for pulling together and informing the commissioners about the process. Marilyn Wood made a motion to approve the pay range and pay rate adjustment for lower tiered clerical positions of Iron County. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-delegated items presented.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Attest: Jonathan T. Whittaker, County Clerk


Signed: Michael Bleak, Commission Chair



**IRON COUNTY COMMISSION MEETING
JUNE 28, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. June 28, 2021
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Karsten Reed	County Assessor
Dan Jessen	County Auditor
Terry Palmer	County Building & Zoning
Sam Woodall	County Deputy Attorney
Richard Wilson	County Chief Engineer
Betsy Cummings	County HR Director
Bruce Anderson	County Landfill Supervisor
Reed Erickson	County Planner
Mike Worthen	County Resource Director
Preston Nelson	County Roads Supervisor
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	18
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
CONTRACT FOR ADMINISTRATIVE PUBLIC DEFENDER.....	12
DEPARTMENTAL REPORTS.....	2
DEVELOPMENT OF LAND TO BE ANNEXED INTO CEDAR CITY	11
GREENBELT UPDATE ON REQUIREMENTS IN LIGHT OF THE DROUGHT	13
INVOCATION	2
NON-DELEGATED ITEMS.....	18
PERSONAL PROPERTY REIMBURSEMENT REQUEST DUE TO OVERPAYMENT	18
PERSONNEL	17
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	11
PUBLIC HEARING, CIB GRANT AND OR/LOAN NEWCASTLE FIRE STATION	4
PUBLIC HEARING, ORDINANCE 2021-6 REGARDING ADU’S	4
PUBLIC HEARING, PROPOSED ROAD DEDICATION SUBDIVISION (APN: D-683)	10

RESOLUTION 2021-2 REGARDING CRITICAL RACE THEORY (CRT)..... 13
STATE AUDIT AND FINDINGS 13
STATE RECREATION RESTORATION INFRASTRUCTURE GRANT..... 12

INVOCATION

An invocation was offered by Sam Woodall.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Karsten Reed.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held June 14, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Marilyn Wood made a motion to approve Claims for Payment for June 14, 2021 through June 27, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Terry Palmer, Iron County Building & Zoning Administrator, reported that there had been 330 projects compared to last year at this time of 225 projects. As of June 23rd there had been 299 permits issued. During June of 2020, the Building Department had issued 199 permits which was a record year. Terry discussed HB 1003 which mandated that plan reviews be completed within 3 days or the issuance of the building permit would be automatic. He explained that an Insurance Service Office (ISO) report would be necessary for Iron County’s insurance rating. Rebecca VanAlphen would likely help with the ISO report.

Richard Wilson, Iron County Chief Engineer, expressed his appreciation for being welcomed by the Iron County Employees and leaders. Richard reported on the current projects: restoration of the 5-Mile Picnic area had begun on June 14th and would take approximately two years to complete; Shoal Creek Flood Prevention Project, which was the clearing of the ditch/dike to open-up 5.25 miles of channel which had filled with 6-8 feet of sand from the 2005 and 2010 floods, it had taken Curtis DeMille 4 weeks to clean the ditch out using a track hoe. Richard had heard from several members of the community who had expressed their appreciation of it being cleared. After coordination with Carri Jeffries, Iron County Recorder, Clay Tolbert had been contracted to serve as the Iron County Surveyor. The survey submissions for review and recording would be transferred to the Recorders office beginning July 1st, the survey and survey cabinets would be moved to the Recorders Office on or about July 1st; Wayne Adams would train the Engineering Department staff to use the traffic counter. Richard noted that Right-of-Way acquisitions were in process for 7700 West, Right Hand Canyon Road and Pinto Canyon Road to Newcastle Reservoir. 1.4 miles of chip seal would be done on Lund Highway due to an agreement with rPlus Energies starting at 7000 North. The Road Department would chip seal an additional 1.4 miles in 2022. Richard noted that another solar company might be willing to chip seal the road and would get back to him. He discussed a Lake Flood study for Quichapa Lake. Richard expressed the importance of being proactive with the Federal Emergency Management Agency (FEMA) in the development of flood maps. This Quichapa Lake Flood study was discussed during the June 10th Planning and Zoning meeting and certain locations were at higher risk. Iron County road conditions and 93 UDOT rules, were updated to 2021, and cross sections were also updated to current standards. He would meet with Cedar City Engineers once a month to exchange ideas regarding ordinances, joint venture transactions, flood control, and other concerns. He was waiting on a date to be set for a symposium to join regarding onsite water storage containment, driveway on larger lots to reduce retention by 51% and to keep

storm water within own developments. Richard noted that the Engineer Department was in need of a wide format scanner to scan old files to digital, making it easier to search. Also, they needed a solution to plot maps. He explained the current dump truck was 24 years old and was having some problems. He noted that a new dump truck would likely cost \$200K and wanted to discuss it during his budget meetings in the fall. Richard noted that they were working on modernizing the addressing process.

Bruce Anderson, Iron County Landfill, reported that the process to renew the operating permit for the landfill was approaching. The State of Utah had received public comments regarding the permit. There were 108 new residential garbage cans delivered, reflecting significant growth. Wood at the landfill had been chipped and mulch was now for sale. There had been several small fires at the landfill, usually caused by batteries from toy trucks. He was pleased to have found a water truck to purchase. All of the employees were healthy and working. Bruce reported that the budget was on track, but there had been some expensive repairs of equipment. They were down on tonnage, but numbers were up on customers. He noted that, because of high lumber prices, there was very little wood being disposed of in spite of busy construction activity.

Preston Nelson, Iron County Road Supervisor, reported on projects being done: chipped of Vandenberg Road and Bumblebee Road all the way to Hwy 56; a half mile on 3900 W; Tipple Road on Kanarra Mountain; 2 miles of the Hart Road in Newcastle; and 4 miles in the Midvalley Estates area. They anticipated chipping on Old Highway 91 from Kanarra to Hamilton Fort for 4 miles; the Parowan Gap Road for 5 miles; and 1 mile in the Allard Ranch subdivision. They planned to fog seal these chipped roads in late July. A cattle guard on the Iron Springs Road would be replaced soon. Preston concluded by noting that they continued patching and general road maintenance.

Paul Cozzens, Iron County Commissioner, noted that he, too, attended the Water Festival sponsored by the Central Iron County Water Conservancy District (CICWCD) and Southwest Plumbing. Paul expressed that the festival was a great way to learn about water conservation. He then discussed a planned slab for bleachers at the Fairgrounds. The slab under the planned bleachers was the same thickness as the slab for the planned steel building. He wondered if it really needed to be as thick as planned. Terry Palmer noted that the slab needed to be thick enough for frost and to prevent heaving. There was some question whether the planned metal building would be installed before the Fair. Paul noted that an exhaust vent at the Senior Center in Cedar City needed to be routed to the exterior of the building. Carter Enterprises would handle the vent modification, but it was not part of the original construction contract and would come out of the Council on Aging's budget.

Marilyn Wood, Iron County Commissioner, reported that Western Ag. Credit opened a location in Cedar City and held a grand opening on June 15th. On June 17th, Commissioner Wood traveled to Newcastle Reservoir and noted that the planned paving of that road would be very beneficial to those that traveled and hauled trailers to the reservoir. On June 21st, she attended the first Weed Board meeting since 2020. Kacey Adams and Lance Hollerman work hard all summer long. Noxious weeds were very damaging to Iron County. She expressed concern about a proposed roundabout at the intersection of Kitty Hawk Road and Bulldog Road, near the Iron County Road shed. She expressed willingness for the county property to be able to be used as a storage or staging area during the construction project which would include replacing the Coal Creek Road overpass, widening and slightly rerouting Coal Creek Road, Kitty Hawk Road and Bulldog Road. Commissioner Wood noted that a "Water Festival" held at Cedar City Main Street Park was very fun and educational for children and adults.

Michael Bleak, Iron County Commissioner, reported that he had occasion to visit with Representative Paul Ray, who is on the Redistricting Committee for state elected offices. Michael was able to convince him that Cedar City needed to be represented in those considerations and that in the fall Cedar City would host a redistricting meeting. He noted that under Medicare and Medicaid, patients in Southern Utah needed to travel to Provo for dental care because local providers had been inadvertently excluded from the list. He was able to inform Senate President Stuart Adams of this and the issue would be addressed during the next

legislative session. Commissioner Bleak concluded by noting the “tinderbox” conditions that existed concerning fire hazard. He showed some pictures of recent fires and fire suppression efforts that reflected how serious the fire danger was, especially for so early in the year. More fire restrictions would likely come, with restrictions on fireworks. He had attended the Water Festival later in the day.

PUBLIC HEARING, TO RECEIVE COMMENTS ON A GRANT AND/OR LOAN FUNDING APPLICATION TO THE UTAH PERMANENT COMMUNITY IMPACT FUND BOARD (CIB)

Reed Erickson, Iron County Planner, explained that this public hearing was for a previously discussed project, namely the proposed Fire House at Newcastle. Previous hearings had to do with the Community Development Block Grant (CDBG) board, where this hearing was for funding requested from the Community Impact Board (CIB). The initial request would be for \$400K in grant funding, but Iron County would consider a loan if the grant were denied. The original budget for the project was \$600K, but had increased to \$700K due to increased construction costs. Reed and the commissioners discussed the placement of the new building on the parcel and Reed clarified that the building would lie on the Southwest corner and face East.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open. No comments were offered. Michael Bleak declared the public hearing closed.

PUBLIC HEARING, ORDINANCE 2021-6 DISCUSSION AND POSSIBLE APPROVAL OF AN ORDINANCE OF IRON COUNTY, UTAH ADOPTING AND/OR MODIFYING SECTION IN IRON COUNTY TABLE OF USES

Reed Erickson, Iron County Planner, explained that Iron County Ordinance 2021-6 was to comply with legislation that allowed anyone to have an Additional Dwelling Unit (ADU) in their home and not have to comply with more stringent building codes for duplexes and guest houses and the like regarding fire walls and fire doors and similar. Ordinance 2021-6 allows ADU’s in the primary foot print of a home. Dwellings such as basement apartments, above garages, upper floor and additions of no greater than 800 square feet were covered under this ordinance. In developing the ordinance, the Planning and Zoning Commission worked with the Central Iron County Water Conservancy District (CICWCD) to consider an ADU as a part of the original structure and not be considered a disruption of water or other utilities such that additional utility connections be required. To be considered an ADU, the owner must occupy part of the house. These changes would provide a greater balance of housing options and move Iron County closer to meeting housing goals. Additionally, there would be more affordable housing options for seniors and lower income residents. More opportunities for independent accommodations would also be provided. Paul Cozzens asked whether this was something new in Iron County Code. Reed Erikson replied that the concept of ADU’s and the freedom to have them considered part of the original house was new with Ordinance 2021-6. Michael Bleak, Iron County Commission Chair, declared a Public Hearing open.

William Pressgrove, a citizen of Iron County, asked rhetorically whether what was being done for liberty and justice for all or for the greater good. Marilyn Wood asked whether the owner must reside in either unit. Reed Erickson replied that it was necessary in an ADU but not a guest home. Paul Cozzens made a motion to approve Ordinance 2021-6 as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY ORDINANCE 2021-6

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING AND/OR MODIFYING SECTION 17.16.030 – TABLE OF USES, AND SECTION 17.16.040 – TABLE OF SITE DEVELOPMENT STANDARDS; SECTION 17.36.400 – ACCESSORY DWELLING UNIT (ADU); SECTION 17.20.010 – USE DEFINITIONS; SECTION 17.84.010 – DEFINITIONS, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County has determined in accordance with need for more affordable and attainable housing options, certain provisions and regulations need to be modified that permit accessory dwelling units (ADUs) in existing and new single-family residences; and

WHEREAS, in the 2021 Utah Legislative session the legislature adopted HB 82 that made modification to state code regarding duplexes and requirement of the building code that necessitates the county amend certain provision in its land management code;

WHEREAS, the proposed ordinance is designed to comply with Utah state code and implement the objectives of the County to promote options for housing opportunities while reasonably regulating the same to serve the purposes Utah law and 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 citizen's health, safety and welfare, to 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 and Subdivision Ordinances 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 17.16.030 – Table of Uses**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

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	R4K	C	LI	I	IA
Accessory agricultural sales	P	P	X	P	P	P	P	P	P	P	P	P
Accessory dwelling unit (ADU)	P	P	P	P	P	P	P	X	X	X	X	X
Accessory outside storage	P	P	X	X	X	X	X	X	A	P	P	P

SECTION 2. Within **Section 17.16.020 – Definitions**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follow:

17.16.020 - Definitions.

"Accessory agricultural retail sales" means a location for the retail or wholesale of agricultural or horticultural products which are grown on site: (1) products can only be sold on a seasonal basis with no permanent structure; and (2) products must be grown on site, not having been purchased for the purpose of resale.

"Accessory dwelling unit (ADU)" means a second dwelling unit located within the footprint of the primary dwelling, or attached to another dwelling unit, for use as an independent living or dwelling unit and is determined to be secondary to the primary dwelling unit or guest house.

"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.

SECTION 3. Within **Section 17.84.010 - DEFINITIONS**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follow:

"Permitted use" means a use of land for which no conditional use permit is required.

"Primary Dwelling" means a single-family dwelling that is detached and is occupied as the primary residence of the owner of record.

"Principal use" means the primary purpose or function for which a parcel is used.

SECTION 4. Within **Section 17.36.400 – Accessory Dwelling Units**, of the Iron County Code, shall be, and hereby is, identified and added to read as follow:

17.36.400– Accessory Dwelling Units (ADUs)

A. Purpose and intent.

The purposes and reasons for creating provisions and regulations for accessory dwelling units (ADUs) include the following:

1. Increasing the supply of a more affordable type of housing not requiring government subsidies;
2. Helping older homeowners, single parents, young home buyers, and renters seeking a wider range of housing options, prices, rents and locations;

3. Increasing housing diversity and supply, providing opportunities to reduce the segregation of people by race, ethnicity and income that resulted from decades of exclusionary zoning;
4. Providing homeowners with extra income to help meet rising homeownership costs;
5. Creating a convenient living arrangement that allows family members or other persons to provide care and support for someone in a semi-independent living situation without the latter leaving his or her community;
6. Providing an opportunity for increased security, home care and companionship for older and other homeowners;
7. Reducing burdens on taxpayers while enhancing the local property tax base by providing a cost-effective means of accommodating development without the cost of building, operating and maintaining new infrastructure;
8. Promoting more compact urban and suburban growth, a pattern that reduces the loss of farm and forest lands and natural areas and resources and limits increases in pollution; and,
9. Enhancing job opportunities for individuals by providing housing nearer to employment centers and public transportation.

Accessory dwelling units are, therefore, an essential component of housing choices and supply in Iron County.

B. General requirements.

1. An accessory dwelling unit (ADU) shall:

- a. be connected to the same utility connection for water, sewer, power, gas, etc. as the primary dwelling for which the ADU is secondary. If an ADU is proposed to be connected to an existing on-site wastewater treatment system, verification from Southwest Utah Public Health Department must be provided, stating that the wastewater system is of adequate size;
- b. meet the residency requirement that the legal owner of record occupy one of the two dwellings of the residential structure in which the ADU is located;
- c. provide at least one off-street parking space, in addition to those required by the primary dwelling or guesthouse on the same lot;
- d. replace any parking spaces contained within a garage or carport if the ADU is created within the garage or carport;
- e. be no greater than eight hundred (800) square feet in size if created as an addition to the existing dwelling and not within the footprint of the primary dwelling structure, prior to the addition;
- f. be less than fifty (50) percent in size of the primary dwelling when within the same footprint of the primary dwelling;
- g. comply with all applicable building, health, and fire codes; and,
- h. be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling, while considering privacy concerns with screening, landscaping, and orientation.

2. An accessory dwelling unit (ADU) shall be prohibited:

- a. to be created within a mobile home as defined in Section 17.80.010;

- b. to be created if the lot containing the primary dwelling is six thousand (6,000) square feet or less in size;
- c. to be rented or offered for rent for a period of less than thirty (30) consecutive days; and,
- d. to be constructed as a duplex according to the current adopted building code.

C. Distinction from Guest House.

1. An accessory dwelling unit (ADU) is distinguished from a guest house and the associated regulations for a guest house (see Section 17.36.270 – Guest House) as follows:

- a. an ADU is a permitted use in all residential zones that allow a single-family dwelling; whereas a guest house requires an administrative land use permit;
- b. an ADU is to be located within the footprint of a primary dwelling, or as an addition to a primary dwelling with a size increase limitation of eight hundred (800) square feet; whereas a guest house must be separated from the primary dwelling by at least 15 feet and has no size limitation, subject to setbacks and maximum coverage regulations;
- c. an ADU must utilize the same utility service connections as the primary dwelling; whereas a guest house may be required to have separate utility service connections depending on its size, location, and other factors; and,
- d. an ADU may be located with a guest house and must provide for one additional off-street parking space; whereas a guest house must provide for two additional off-street parking spaces.

SECTION 5. Within **Section 17.16.040 – Table of Site Development Standards**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follow:

	ZONING DISTRICTS											
	A 20	RA 20	RR 20	R 5	R 2	R-1	R-1/2 ⁽²⁾	R4K	C	LI	I	IA
Maximum/minimum building height (feet/stories)	NR	NR	NR	30 ft. or 2 stories / 1 story	30 ft. or 2 stories / 1 story	30 ft. or 2 stories / 1 story	30 ft. or 2 stories / 1 story	30 ft. or 2 stories / 1 story	3 stories / 1 story	3 stories / 1 story	NR	NR
Minimum lot size (acres) ⁽¹⁰⁾	20 ⁽³⁾⁽⁵⁾	20 ⁽³⁾⁽⁵⁾	20 ⁽⁵⁾	5	2	1	1/2	0.0918 (4000 sq. ft.)	NR	NR	NR	80
Maximum total lot coverage (all buildings)	NR	NR	NR	5% ⁽⁹⁾	10%	15%	30%	75%	50%	50%	50%	NR

Notes:

(2) The R-1/2 zone, where a "Performance Subdivision Option" is approved, shall incorporate minimum and/or maximum values for setbacks, lot sizes and widths, building separation and heights, and maximum building coverage as prescribed in Section 16.23.040 (Development standards).

(3) If a lot or parcel of property is located within an RA-20 or A-20 zone and is less than twenty acres but at least five (5) or more acres, and provided that the lot was legally created or existed prior to August 14, 2000, the lot or parcel shall be considered suitable for uses identified as permitted or conditional as set forth in the RA-20 or A-20 zone, except for kennels; provided that all listed uses (permitted and/or conditional) in the RA-20 or A-20 zone shall be considered conditional uses for lots or parcels in the RA-20 or A-20 zone and smaller than twenty acres, but at least five (5) or more acres, subject to the following provisions:

a. The requested use is allowed in the RA-20 or A-20 zone as a permitted, administrative land use, or conditional use;

b. The requested use complies with the requirements for the RA-20 or A-20 zone with respect to yard requirements, setback requirements, height, buffer and landscape standards, and all other requirements applicable to the district are sufficient to permit the requested use, other than the minimum area requirement; and

c. The requested use will not substantially impair or adversely impact the neighboring property owners, but if so asserted, or the planning commission believes that the requested use will negatively impact or impair a neighboring property owner, then the planning commission may impose such requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control and time limits, and other items for the conditional use permit as deemed necessary for the protection of adjacent properties and the public interest.

d. Conditional use permit applications for a kennel in the RA-20 or A-20 zone shall only be considered eligible for lots with twenty or more acres.

If the proposed use requested does not comply with the requirements of this title, or cannot be reasonably mitigated by the property owner, the planning commission shall deny the application. Upon finding that the proposed use, building or structure complies with the standards and requirements of this title, the requirements of the land management code, can be adequately serviced by the existing or proposed infrastructure, and the negative impacts can be reasonably mitigated, the planning commission shall authorize the conditional use permit.

(4) Accessory Building Setbacks and Separations. Unless determined otherwise by the county commission, accessory building setbacks shall be five feet minimum for rear and side yard setbacks. Front yard setbacks are the same as for the principle building and accessory buildings may not be set closer to the front property line than the principle building. Accessory buildings may not be located in utility easements. Building separation distances for accessory buildings shall be regulated by the building code.

SECTION 6. General Provision.

Sections of the Iron County Code identified in this ordinance, shall be, and hereby are, amended with the express intent of allowing administrative land use permits to be issued by the zoning administrator for uses such as guest houses and expanded home occupations in accordance with Utah State code and Iron County code.

SECTION 7. Severability.

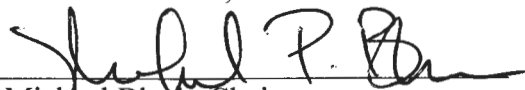
Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

SECTION 8. Effective Date.

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

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 28TH day of JUNE, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael Bleak, Chair

ATTEST:


Jonathan T. Whittaker, County Clerk



VOTING:

Michael P. Bleak _Aye_
Paul Cozzens _Aye_
Marilyn Wood _Aye_

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ROAD DEDICATION SUBDIVISION, "DENNIS & DEBRA JOHNSON ROAD DEDICATION SUBDIVISION" (TWO REMAINDER PARCELS)

Reed Erickson, Iron County Planner, explained this was approximately 3.2 acres located near 175 West 3000 North. The proposed Dennis and Debra Johnson Road Dedication Subdivision was comprised of a parcel that was split by 175 West Street that was access to the Old Farm Subdivision in Cedar City. There was a home on one side of the parcel, and the proposed subdivision would make legal the other side of 175 West. Although the parcel lies next to the annexation boundary of Cedar City, there was no need or desire to annex into Cedar City. There were existing sewer and water connections available, but it would be necessary to annex to access them. The land was zoned R1 and was in Tier II.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open. No comments were offered. Michael Bleak declared the public hearing closed. Marilyn Wood made a motion to approve the Dennis and Debra Johnson Road Dedication Subdivision as explained with findings that the project was in compliance with the requirements of a road dedication subdivision and that all of the necessary improvements are already in place. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

Kerry Fain, of Southern Utah Yeti, expressed her appreciation to the commissioners and Iron County for their support of the ice-skating rink at Woods Ranch. Mrs. Fain addressed some concerns that had been brought to her attention. She noted that there were over 100 youth in program that came each week. Southern Utah Yeti had enjoyed an increase in volunteers. Mrs. Fain noted that the tremendous number of visitors to Woods Ranch over the winter was a bit overwhelming. A great deal of effort and time was spent cleaning the facilities and restrooms, particularly on weekends. She acknowledged that Southern Utah Yeti had improvements to make, but that she hoped to be able to continue the partnership to provide ice skating opportunities for local youth. They had met their obligations with the exception of removing the electrical, which came during the “mud season.” Iron County had removed the electrical system and Southern Utah Yeti would be happy to reimburse Iron County for the expense. She noted that her organization would be eager to meet with the commissioners and discuss any ongoing issues or concerns. Mrs. Fain noted that Southern Utah Yeti appreciated Bryce Williams of Outdoor Recreation and worked well with him. They hauled off garbage from not only their activities, but from others who visited Woods Ranch. Michael Bleak said he would be happy to meet with Southern Utah Yeti. Paul Cozzens expressed that Kerry Fain and Southern Utah Yeti provided an outstanding service to Iron County. Marilyn Wood noted that they expected some challenges along the way with a new undertaking. There had been injuries on the sledding hill, which was illegal, but not at the ice-skating rink.

Hayden Ballard, Public Lands Policy Coordinating Office (PLPCO) counsel, reported that the Bureau of Land Management had released an Environmental Impact Statement (EIS) for the Cedar City Resource Management Plan. Mr. Ballard noted that the commissioners and public could reach out to him if there were concerns about the EIS regarding the Cedar City Resource Management Plan. He noted that the concerns Iron County had had were addressed. Marilyn Wood expressed concern regarding the Resource Management Plan and the ranchers. There were options A, B, C, and D. D being the least restrictive. The concern was reduction in AUM allotments due to drought and feral horses. Mr. Ballard noted he was aware of the concern and would address it.

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT FOR DEVELOPMENT OF LAND TO BE ANNEXED INTO CEDAR CITY

Reed Erickson, Iron County Planner, explained that the land in question was an “island” of unincorporated lands in the Cedar City area west of Airport Road and north of Horse Alley. Because of the 6-to-9-month process to annex and because of the need to progress with development, there was an agreement in place for Cedar City to issue building permits as though the land were already within Cedar City. This agreement was similar to the one entered into by Intermountain Farmers Association (IFA) in the same area for the same reason of a compressed development schedule. Reed noted that the annexation of islands or land that resolve peninsulas was desirable as it solved the challenges of providing services in those areas. The proposed annexation would not resolve all of the islands in the vicinity, but would apply pressure on those parcels because they were smaller by comparison. Currently, the property was zoned Light Industrial, therefore a Conditional Use Permit (CUP) would be issued to be compliant. Reed noted the planned development would be to build wall panel building systems that would be unique to the area. Reed expressed that it would be a beneficial addition to Cedar City and Iron County. Paul Cozzens made a motion to approve the Agreement for Development of Land to be Annexed into Cedar City as explained. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND CONSIDERATION AND POSSIBLE APPROVAL OF STATE RECREATION RESTORATION INFRASTRUCTURE GRANT TO RESTORE VERMILLION CASTLE (5-MILE) PICNIC AREA. THIS IS A TWO YEAR GRANT THAT WILL TERMINATE IN MAY 2023.

Mike Worthen, Iron County Resource Director, explained that the 5-Mile Picnic Area was mostly destroyed by the Brian Head fire and flood in 2017. Parowan had the original permit and decided to drop it because there was too much work to be done to restore the picnic area. At that time the Iron County Commission decided that it was too much of a valuable asset to the local citizens and visitors to let it go. He then looked into a grant to help fund the restoration, applied for the grant and received approval. The application was through the State of Utah. Mike reported that the grant required a 50/50 match. The application for the grant was approved and he was reviewing the contract. The contract was a two-year contract and allowed the rebuilding of the flooded area, replace the picnic tables, and an addition of 2 restrooms. The downside and frustration was the water system. The reason Parowan abandoned that part of the permit was the state downgraded the water system to a lower quality water. In order to get it back to potable water a system would have to be built to purify the water which would have cost over \$1M. Mike reported that the water could not be used as potable water at all and as a result there was no water in the campground. Marilyn Wood asked if there were water rights at the campground. Mike noted that Parowan City owned 80% of the water rights and the Forest Service owned 20%. Marilyn Wood then asked if through the Natural Resources Conservation Service (NRCS) if a project could be done to drill a well there to give water to all of us? Mike reported that he would look into it and that the water rights would be the key to drill a well. It would be on Forest Service land and would have to be worked through them. Paul Cozzens asked why the water was downgraded. Mike reported that the water did not meet the water quality standards and was impacted with the run off, and every spring the water turned brackish. The grant was for \$119K which included toilets, a shed for a host, replacing a fence through a contract, restoring and replacing picnic tables, fire rings, construction of two foot bridges across the creek, repairing the pavilion roof, creation of a host campground, and a seasonal worker. The group site was not a favorable site with no shade and to add a pavilion the would have to be approved by the National Environmental Policy Act (NEPA) because it was not present previously. The Forest Service permit required that the area had to be restored to the original appearance. The Iron County cash cost would be \$61K. If this grant was approved, Commissioner Bleak would receive a letter to docu-sign. Marilyn Wood made a motion to approve the State Recreation Restoration Infrastructure Grant to restore Vermillion Castle (5-Mile) Picnic area as presented, with the Iron County cash cost of \$61K and the amount of the grant was \$119K. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF CONTRACT FOR ADMINISTRATIVE PUBLIC DEFENDER AND LEGAL ADMINISTRATOR SERVICES

Shain Manuele, Iron County Defense Attorney, explained that the grant application was submitted to the Indigent Defense Commission and the additional attorney was not approved. The contract being submitted today was for the new Legal Administrator and his position as the Administrative Public Defender. This was the third year working with Iron County for these services. The only changes were the addition of the Legal Administrator, and the removal of extraordinary expenses clause, and additional language that anyone servicing this contract would not participate or represent someone against Iron County. The contract was reviewed by the Iron County Attorney and approved as a form including the funding document if approved by the commission. Paul Cozzens made a motion to approve the contract for Administrative Public Defender and Legal Administrator services. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION REGARDING UPDATED GREENBELT REQUIREMENTS IN LIGHT OF THE DROUGHT

Karsten Reed, Iron County Assessor, reported that he had received numerous calls regarding the greenbelt and farmers balance requirements. They would need to consider case by case. Karsten noted that they did not want to harm any farmers and they need to also understand that this was major drought.

DISCUSSION REGARDING STATE AUDIT AND FINDINGS

Karsten Reed, Iron County Assessor, reported that Ben Hulet, Auditor, had reviewed the Audit and it was in compliance. Karsten stated that the average parcel per Appraiser in the State of Utah was 3,500. Iron County averaged 8,333 parcels per Appraiser. He expressed his appreciation for his staff for being efficient with the level and amount of work they each had to handle.

RESOLUTION 2021-2 SUPPORTING THE PROHIBITING THE TEACHING OF CRITICAL RACE THEORY IN UTAH'S PUBLIC EDUCATION SYSTEM

Paul Cozzens, Iron County Commissioner, explained that recently Iron County School Board (ICSB) member, Dave Staheli, put together a Critical Race Theory (CRT) Resolution. Paul noted that he was excited with the Resolution because he had strong feelings on the issue. Mr. Staheli proposed the Resolution to the ICSB and it did not pass by a count of a 2 to 3 vote. He said that he talked to Dave Staheli the next day and expressed his support for his efforts and that it was well done. He asked Dave if he would mind if he could take his Resolution and adapted it to change a little bit of the language. Paul stated that he prays for the day in this country when we could become color blind and we could quit looking at different colors of people and be Americans. He explained that there were 7 different nationalities in his immediate and extended family and he loved them all. He had adopted 2 Chinese daughters that were orphans. Those girls would grow up knowing that they don't need the Government to bail them out or help them to be successful in life. One of the girls was born with one arm and was active in tennis, dance, and plays the violin with a prosthetic. She would grow up in life and be successful because she did not need someone to bail her out, and she was a minority. It broke his heart when he sees this country with division. He believed that CRT was an agenda of a divisive nature and we need to move past it. Paul reported that Resolution 2021-2 was supporting the prohibition of teaching CRT in Utah's Public Education system. He noted that as stated previous Resolution 2021-2 was adapted from the Resolution proposed by David H. Staheli for passage by the Iron County School Board during their June 22, 2021 meeting. He read:

“Whereas, America was founded on true and eternal principles as stated in the Declaration of Independence and protected by the United States Constitution: “that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” Whereas, “Critical Race Theory” (CRT) establishes the false premise that America has been and always will be a systemically racist nation, disavows our founding principles and ignores our national progress in areas such as the abolition of slavery, constitutional amendments, and civil rights laws, to strengthen the preservation of liberty and opportunity for all Americans; Whereas, CRT is intentionally formulated to further divide Americans into opposing groups by indoctrinating young students into being ashamed of their race and culture, and/or being victims because of their race or culture, pitting people of different races against each other and advancing an ideology of hate; Whereas, CRT insults and demeans Americans of color by teaching them that they are less intelligent and less capable to succeed, and can only compete in society by the force of law, extra benefits and special advantages; Whereas, CRT is diametrically opposed to American values and principles and fails to remember Martin Luther King Jr's words, to judge “Not by the color of their skin, but by the content of their character”; Whereas, legislators in both the Utah House and Senate passed resolutions, which identify risks of CRT in public education and make recommendations to the State Board of Education regarding the prohibition of certain harmful concepts; Whereas, the Iron County Commission and a clear majority of the citizens of Iron

County, Utah generally, believe in Equal Rights, particularly the God-given individual rights affirmed and protected by the Constitution of the United States and the Constitution of the State of Utah, and that we affirm the infinite worth of all individuals and value of the contributions made to our society by people of all backgrounds, therefore be it; Now therefore, be it resolved, that the Iron County Commission rejects Critical Race Theory as un-American, societally destructive, and irreconcilable with American Human Rights and “Equality under the Law”; Be it further resolved, that the Iron County Commission firmly declares that Critical Race Theory and similar concepts should never, under any circumstances, be taught in Utah's public education system, nor be required or used for employee training or professional development in Utah's public education system; be it further resolved, that the Iron County Commission supports teaching American history grounded on the founding principles of our Constitution and Declaration of Independence, including the recognition of the many valuable contributions made to our country and the world by Americans of many backgrounds, the understanding of past mistakes and challenges that we have overcome, and instruction through a lens of unity as one people, and nation under God; Be it further resolved, that Iron County show a united front by calling on the Iron County School Board to pass this same resolution and express our support of the resolutions in both the Utah State House and Senate and call on the Utah State Legislature and Governor Spencer J. Cox to pass and sign legislation prior to the 2021-2022 school year to prohibit Critical Race Theory curriculum and employee training and/or professional development on this and like concepts in Utah's public education system.” Paul stated that the Resolution spoke for itself and was well done. He did not think that CR was rampant in Iron County and did not know that it was being taught that much, but it was important that we come ahead of it and state where we stand as different bodies in Iron County. As mentioned previous, he believed that CRT was an agenda of division and something we need to move past as a country. With all the different cultures and race in his immediate and extended it adds value to his family and cherish them all. CRT was inherently racist when you pit put one group against another. Just because someone was born a certain color that they tell them they were inherently racist. Like stated in the resolution they tell another race that they were at a disadvantage and told they need help in order to be successful in this life. Burgess Owen made a video, that was produced by Prager University, on YouTube regarding his background and what his family accomplished through hardships. There was oppression and some difficult things that happened to his family and how his family and his ancestors overcame them and were successful in their lives. Paul encouraged everyone to watch the video.

Michael Bleak, Iron County Commission Chair, opened the meeting for comments from those in attendance regarding CRT.

Blain Nay, a citizen of Iron County, noted that he had attended the School Board Meeting and was disappointed in the outcome. The divisiveness of this county and state was a result of not standing up for what was true. Mr. Nay encouraged the commission to ratify and adopt the resolution and put Iron County on record wanting everyone to be Americans and not divided.

Whitney Laub, a citizen of Iron County, stated that she was not political and now realized that what matters was her opinion and the only one who could change that was her. The only holdback from letting our Government go out of control was our local, county, and state control. Now is the time for us to say this was what we and Iron County stood for. Whitney stated that she would like to go on record that Iron County did not support CRT.

Kenneth Bauer, a citizen of Iron County, noted that he was against CRT. He also attended the School Board meeting. CRT was very divisive and it was hard to listen to the board vote against it. CRT was a tool of Satan and we have to push back. Let's go on notice that Iron County was against CRT.

Todd Hailstone, a citizen of Iron County, explained that he had a lot of years studying the constitution and had a Doctorate Degree in Educational Law and Jurisprudence. One of the main problems with education today was “Purse strings”, when one goes against another. When you were not free to choose one way or another that's not freedom. We need to teach loyalty to groups and to help other groups. Mr. Hailstone asked the commission to please pass the resolution.

Ron Pisaturo, a citizen of Iron County, was inspired by his fellow citizens that were concerned for all the children. He supported the resolution and was pleased for the slight change of wording that says, "CRT should never be the bases of teaching" rather than "CRT should never be taught." It was good to teach bad ideology but wrong to accept an evil ideology as a basis of premise of all teaching.

Brionna Laub, a citizen of Iron County, reported that she agreed with the other comments shared. As a parent, she taught her children that they were responsible for their own actions. If they did something bad they had to own up to it, apologize, and fix it. CRT wanted to teach the children to apologize to someone they had never met for what was wrong in the past. Our children should not be held accountable for something they were never a part of.

Richard Wilson, a citizen of Iron County, noted that CS Lewis wrote in "The Screwtape Letters," that a client should always keep his mind in the past because you can't change the past, keeping your mind on the future won't change the present, the present was the only place that things could change. This country had changed quite a bit and was now recognizing errors from the past and correcting them. CRT tells a person how and what to do and teaching that, collectively, we were all at fault. We would never change prejudice as there were those who would continue even if a law was passed, but you could pass a law to make certain acts illegal. Iron County needed to support this resolution and let others see how Iron County stands on the issue.

Marilyn Wood expressed that CRT was divisive and as a commission they should support the resolution, that she would support it. We need to send a message that Iron County does not support CRT. The divisiveness had been going on for a long time, and strongly in the last while when "Redman" was taken away from Cedar High School. She had not seen so much divisiveness and that it was very harmful to our community. It was a lot more harmful than most people realized. It cut to the core of who we were, our history, our heritage that was so important to us here in Iron County and in Utah. Marilyn noted that she felt it was important to stand up and send a message about CRT.

Paul Cozzens corrected a statement as to his family's number of nationalities. There were 8 different nationalities as he forgot to count himself. He noted that if Resolution 2021-2 passed he would ask the Iron County Clerk to send a copy of it to the State House, Senate, Governor Cox and the local and State School Board.

Michael Bleak noted that this was an issue he had been following. When the CRT Resolution was placed on the agenda, he had received several messages from constituents in opposition of the resolution. Some of their concerns were: would a resolution of this type be more divisive; was the School District trying to push the agenda to the commission since it did not pass there. He explained that his circle of close family and friends was also racially diverse. He reached out to them and they, overwhelming, agreed that CRT was divisive. Even those friends and family that had experiences as a person of color did not agree with CRT. Paul Cozzens noted that the resolution was a statement of position. It was not an ordinance and just a statement of where Iron County stood with CRT and had no jurisdiction over the Iron County School District. Marilyn Wood noted that she had put the resolution on Facebook and most of the comments were of support. Marilyn Wood made a motion to accept Resolution 2021-2 supporting prohibiting the teaching of CRT in Utah's Education System. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-2

SUPPORTING THE PROHIBITION OF TEACHING CRITICAL RACE THEORY IN UTAH'S PUBLIC EDUCATION SYSTEM

Adapted from the Resolution proposed by David H. Staheli for passage by the Iron County School Board during their June 22, 2021 meeting.

Whereas, America was founded on true and eternal principles as stated in the Declaration of Independence and protected by the United States Constitution: “that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

Whereas, “Critical Race Theory” (CRT) establishes the false premise that America has been and always will be a systemically racist nation, disavows our founding principles and ignores our national progress in areas such as the abolition of slavery, constitutional amendments, and civil rights laws, to strengthen the preservation of liberty and opportunity for all Americans;

Whereas, CRT is intentionally formulated to further divide Americans into opposing groups by indoctrinating young students into being ashamed of their race and culture, and/or being victims because of their race or culture, pitting people of different races against each other and advancing an ideology of hate;

Whereas, CRT insults and demeans Americans of color by teaching them that they are less intelligent and less capable to succeed, and can only compete in society by the force of law, extra benefits and special advantages;

Whereas, CRT is diametrically opposed to American values and principles and fails to remember Martin Luther King Jr’s words, to judge “Not by the color of their skin, but by the content of their character”;

Whereas, legislators in both the Utah House and Senate passed resolutions, which identify risks of CRT in public education and make recommendations to the State Board of Education regarding the prohibition of certain harmful concepts;

Whereas, the Iron County Commission and a clear majority of the citizens of Iron County, Utah generally, believe in Equal Rights, particularly the God-given individual rights affirmed and protected by the Constitution of the United States and the Constitution of the State of Utah, and that we affirm the infinite worth of all individuals and value of the contributions made to our society by people of all backgrounds, therefore be it;

NOW THEREFORE, BE IT RESOLVED, that the Iron County Commission rejects Critical Race Theory as un-American, societally destructive, and irreconcilable with American Human Rights and “Equality under the Law”;

BE IT FURTHER RESOLVED, that the Iron County Commission firmly declares that Critical Race Theory and similar concepts should never, under any circumstances, be taught in Utah's public education system, nor be required or used for employee training or professional development in Utah’s public education system;


BE IT FURTHER RESOLVED, that the Iron County Commission supports teaching American history grounded on the founding principles of our Constitution and Declaration of

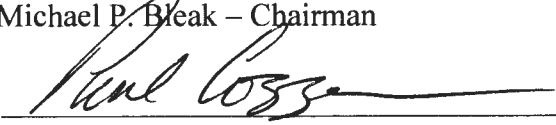
Independence, including the recognition of the many valuable contributions made to our country and the world by Americans of many backgrounds, the understanding of past mistakes and challenges that we have overcome, and instruction through a lens of unity as one people, and nation under God;

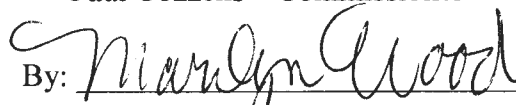
BE IT FURTHER RESOLVED, that Iron County show a united front by calling on the Iron County School Board to pass this same resolution and express our support of the resolutions in both the Utah State House and Senate and call on the Utah State Legislature and Governor Spencer J. Cox to pass and sign legislation prior to the 2021-2022 school year to prohibit Critical Race Theory curriculum and employee training and/or professional development on this and like concepts in Utah’s public education system.

Passed and Adopted by the Iron County Commission on this 28th day of June, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak – Chairman

By: 
Paul Cozzens – Commissioner

By: 
Marilyn Wood - Commissioner

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



Michael P. Bleak Aye
Paul Cozzens Aye
Marilyn Wood Aye

PERSONNEL

Betsy Cummings, Iron County Assistant HR Director, presented new hire Jeri Torsell as a Part-time DMV Title & Registration Technician in the Assessors’ Office, effective July 6th. This was a backfill of a vacant position. Betsy presented new hire Kyle Barrett as a Full-time Deputy 1 in Corrections effective June 13th. This was a backfill of a vacant position; new hire Devon Whitney as a Full-time Deputy 1 in Corrections effective June 27th. This was a temporary fill of an interim vacant position and would become permanent through the interim process. Betsy presented new hire Dakota Winter as a Part-time I.T. Technician in the I.T. Department effective June 21st. This was a backfill of a vacant position. Betsy presented new hire Alexandria MacMullen as the Part-time Receptionist for Tourism effective July 6th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve the personnel changes as presented by Betsy Cummings. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

PRAIRIE DOGS

William Pressgrove, a citizen of Iron County, asked Commissioner Cozzens if he had any further information regarding an infestation of Prairie Dogs on 7700 W and 5600 S in Cedar valley. Paul Cozzens reported that he had contacted Reed Erickson and that he was aware of them and would contact the Division of Wildlife Resources.

BOARDS

Michael Bleak noted that there had been a discussion to appoint Mike Platt to replace Ron Larsen on the Iron County Planning Commission Board. This was replacing an engineering position. Marilyn Wood made a motion to approve the appointment of Mike Platt to the Iron County Planning Commission Board. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

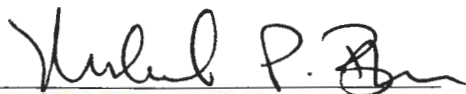
DISCUSSION OF POSSIBLE APPROVAL OF A PERSONAL PROPERTY REIMBURSEMENT OF OVERPAYMENT OF TAXES FROM GAF, LLC

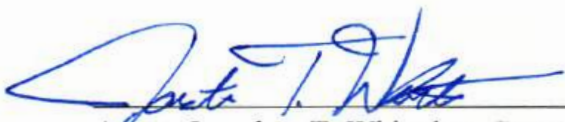
Michael Bleak, Iron County Commission Chair, noted that this portion of the meeting may be closed in accordance with UCA § 52-4-205(k).

Paul Cozzens made a motion to move into a closed session to discuss possible approval of a personal property reimbursement of overpayment of taxes from GAF, LLC. Second by Marilyn Woods. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

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

I, Michael Bleak, 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(k) to discuss the possible approval of a personal property reimbursement of overpayment of taxes from GAF, LLC.


Signed: Michael Bleak, Chairman


Attest: Jonathan T. Whittaker, County Clerk

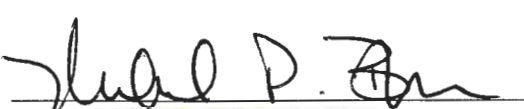


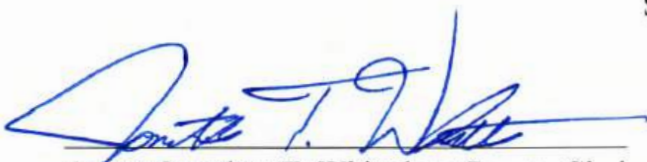
Michael Bleak, Iron County Commission Chair, declared the adjournment of the Closed Session, and the reconvening of the open meeting.

Paul Cozzens made a motion to table item #8 for further discussion and more information could be obtained and evaluated. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael Bleak, Commission Chair


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
JULY 12, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 12, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Sam Woodall	County Deputy Attorney
Karsten Reed	County Assessor
Dan Jessen	County Auditor
George Colson	County Emergency Management
Joyce Evans	County Fair Director
Ryan Riddle	County Fire Warden
Jennifer Bradbury	County HR Director

SYNOPSIS

ADJOURNMENT	8
APPROVAL OF CLAIMS FOR PAYMENT	4
APPROVAL OF MINUTES	1
CLOSED MEETING.....	8
CLOSED ROADS IN SUMMIT TOWNSITE DISCUSSION.....	7
DEPARTMENTAL REPORTS.....	2
DISPOSITION OF PROPERTY REGARDING APN: C-645-178-1.....	7
INVOCATION	1
NON-DELEGATED ITEMS.....	8
PLEDGE OF ALLEGIANCE.....	1
PRESENTATION OF IRON COUNTY 2020 INDEPENDENT AUDIT.....	5
PUBLIC COMMENTS	4
RESOLUTION 2021-3.....	5

INVOCATION

An invocation was offered by Jon Whittaker.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Marilyn Wood.

DEPARTMENTAL REPORTS

Joyce Evans, Iron County Fair Director, reported that a concrete slab was poured for a metal building at the Fairgrounds, but it would not be completed before the fair. Donna Cooley was chosen to be the Iron County Fair 2021 Grand Marshall. Kirby Heyburn would be the speaker for the Sunday evening program. His presentation would be on Self-motivation. Joyce reported that the budget was on track but would be difficult to keep to it as prices had gone up on everything. New electric signs were delivered and Marshall Evans would install them soon. She noted that the prison work crew would begin work on the fairgrounds on July 26th under the supervision of Deputy Burr. They would be working through and after the fair. Joyce reported that a Youth Conference group out of Las Vegas would be coming today to clean-up around the announcer stand. Preston Nelson, Iron County Roads, would then place a road base on the area.

Ryan Riddle, Iron County Fire Warden, reported that it would take several months/years to recover from the drought even with steady and consistent precipitation. The drought had even begun to kill the Juniper trees. He explained that when a Pinion or Juniper tree died it usually would not turn brown for a couple of years, so we would be seeing affects from the drought for years to come. Ryan reported that he had been fighting fires for over 25 years and the fire behavior from the last 2 years scares him. For example: a firefighter with a tool/chainsaw could take down a fire at a 4 feet, an 8-12 feet fire with an engine and dozer, anything over 12 feet would be fought from above with aircraft to slow down the fire to a manageable state to fight in on the ground. This year there had been 20-30 foot flames off of sagebrush. On the "Flat Fire" there was a 70ft tall fire whirl (tornado). This was no longer a "fire season" but a "fire year." Marilyn Wood reported that on her ranch in Beryl was at 20% and 24% of normal for precipitation. He reported that the drought may continue into the winter season.

Prevention Education Report: burn permits were down due to the dry conditions; there was a high influx from out of state vacationers and they tried to educate them with a partnership from the Sheriffs, local fire departments and the Volunteers in Police Service (VIPS), in how to avoid fires by visiting the campgrounds. From January to June there were 187 permits issued and 211 acres treated. This year all 2nd and 3rd graders were able to participate in Safety Week. Fires started by children had been at 50% and were down to 2% due to the training. They would continue to educate those at the campgrounds and high traveled recreation sites of the high fire danger, with cooperation with the Sheriff's Office. There was a Preventive Sign Program implemented by the Road Department and Utah Department of Transportation (UDOT). There were sign placements throughout Iron County indicating fire danger and general fire information on county and state roadways, along with 8 electronic message boards. The 4th of July continued to be a problem. Unfortunately, people would do as they want. Fortunately, there were only a couple of fires that night but quite a few citations were given out. This was the first year that there were no fires at the "C" or Cedar Highlands. Coordination with the Clerk's Office continued with fire prevention messages being printed on the back of the landfill bills.

Training Report: They were able to open face to face instruction again. Wildland Fire Refreshers were held in Cedar City, Beryl and Parowan, Paragonah (host) and Brian Head (combined). With that training there were 82 recertification's, which was down from 185. There were 3 Wildland Power Saw Refresher Trainings. Two in Cedar City, 1 for Parowan, Paragonah and Brian Head. Utah Wildland Engine Training (a two-day field event) was a full scale wildfire exercise held in Cedar Highlands. The State of Utah Forestry, Fire & Sate Lands/Iron County were the Host Departments. There was a mock call to the 911 Center (all preplanned). They were able to make contact with and evacuate 138 homes (voluntary). The Iron County Sheriff 's did an outstanding job with the evacuation. The Sheriff's Office was outfitted with fire resistant shirts, a fire shelter and tools. Ryan reported that on the second day of the training they hosted 87 Firefighters from fire departments throughout the Southwest area. Participants included: Iron County Sheriff's Office, Iron County Emergency Management, Cedar City Communication's, Red Cross, Color Country Fire Dispatch, BLM, US Fire Service, US Park Service, Cedar City Police and Cedar Highlands HOA. There was also a Basic Wildland Fire 1 training held in Cedar

City/Kanarraville combined and Brian Head/Paragonah combined with a total of 25 participants. He was concerned with the low numbers of volunteers and encouraged anyone to sign up.

Fuel Reduction Report: Ryan reported that he had given support for the homeowners and town resources in Brian Head with chipping and fuels mitigation. They were able to obtain funding from the State Legislature through the Catastrophic (CAT) Wildfire program to treat 120 acres of Pinion and Juniper removal in Cedar Highlands. They assisted the community of Cedar Highlands with cutting and chipping for defensible space. He reported that they continued partnership with the Forest Service with the Old Iron Town "Bull Hog" project. They had assisted several landowners in burning piles and some chipping in Meadow Lakes/Ireland Meadows. Parowan Front Phase 1, BLM fuel breaks in Red Canyon on private land, was completed. Phase 2, weather permitting, of the BLM fuel break work would begin in the fall. Red Canyon Subdivision continued to have issues with poor road access and not much could be done because of the road designs and the Tier they were in. They would continue work around the critical watersheds at Quichapa when funding was available. The 2018 \$300K Cat-Fire funding from the State for fuel reduction in the Cedar City and Cedar Highlands area was used for several hundred acres completed and was an ongoing project. The BLM was helping with the work there. Ryan reported that they were rebuilding their paging and communication systems countywide with a \$70K Catastrophic fund from the State, which was 65% complete. Work continued to remove overgrown and unhealthy Pinion and Juniper in Hamlin Valley and surrounding areas. He noted that planning had begun to start a large fuels mitigation project in Cedar Canyon, Flanigan Arch area below Cedar Breaks which would be a multi-agency project. He would submit a request for State funding for a grant through the CAT Wildfire program in September to continue work in the 5-Mile Campground.

Fires Report: From July 11, 2020 through July 11, 2021 there were 125 responses, 16,143.86 acres burned for a suppression cost of \$1,373,945.56. Ryan reported that the budget was on track at 50%. Availability of tools was becoming a concern. Human caused fires continued to be a major cause of fires. Volunteers were very low. Three Fire Captain openings remained unfilled.

Miscellaneous: The new engine at Brian Head was in service and working well. The engine from Brian Head to Kanarraville was delivered and working well. The light engine from Kanarraville to Beryl had been painted and continued to be updated (from a BLM truck) before use. Newcastle and Beryl were in critical need of Wildfire/Interface/water tender trucks. He was working on finding a grant to help funding. Parowan Fire Department received a Heavy Engine through a BLM grant that would be delivered later in the year. The new Newcastle Fire Station was moving forward. All fires were contained in Iron County because they had been able to catch them when they were smaller. Ryan stated that he was finally able to go on vacation for the first time in a year. Michael Bleak expressed his appreciation for Ryan Riddle for all his hard work and that Iron County was lucky to have him.

Marilyn Wood, Iron County Commissioner, reported that she met with Senator Mike Lee in Cedar City and had a good discussion regarding agriculture needs in Iron County as a result of the drought. The cost of meat was at a high, but the sale of cattle was at the ranchers' lowest price ever. Marilyn noted that the drought could result in the loss of a lot of ranchers. They also discussed the wild horses and water issues. She reported that the same concerns were expressed to Senator Mike Lee in a similar Town Hall meeting in Richfield. This drought would trickle down to each entity. Ryan Riddle noted that he had heard that this drought was worse on ranchers than in the dust bowl. She mentioned that she had read that an 80% was considered an extreme drought. Marilyn reported that Jake Benson had sent an email and informed her that there were a lot of grasshoppers and Mormon-crickets on the mountain. Ryan Riddle reported that the Natural Resources Conservation Service had been conducting an aerial spray to get rid of them. Marilyn noted that a planned roundabout planned the the intersectin of Kitty Hawk Road and Bulldog Road had been changed to a traditional "T" style intersection. The roundabout could not accommodate longer vehicles so they were going back to the "T" style intersection. She noted that the project funding was in place and was dependent the existing plan for the intersection. Marilyn noted that conduit for traffic lights could be installed without affecting the

funding. She reported that she and Paul Cozzens attended a meeting in Cedar City and told them that the county could trade property with Cedar City on Road Shed property on the corner if it would be of help with the project. In the future it could be used to add a merge lane from Bulldog onto Kitty Hawk Road. Marilyn explained that Iron County owned the Cedar City Senior Center Building and Cedar City owned the land, and the county would be willing to trade for that land.

Paul Cozzens, Iron County Commissioner, reported he had met with Carter Enterprises and the slab had been poured for metal building on the Iron County Fairgrounds. He had coordinated with CO Building Systems, the metal building supplier and Southern Bleacher, the bleacher supplier to make sure there would be no metal columns impeding the handicap cutouts on the bleachers. The contractor, Carter Enterprises, LLC as well as the Iron County Building Department were also consulted. An overlay was created and the handicap areas were fine. Paul reported that when the bleachers were ordered the cost was \$99K and the next day the price went up to \$135K. The old grandstands would be torn down on Sept. 7th. Preston Nelson, Road Department, would then begin preparation of the pad area, estimated to be completed on the 20th. Carter Enterprise would begin pouring the concrete on the 20th. The bleachers would be delivered at the end of October and would be stored, to maintain the price, until they were installed sometime in November. He noted that the installation cost would be approximately \$7K more because of scheduling. Paul expressed his appreciation to Beth and Chris Stephenson for taking the initiative three years ago to improve the Cedar City 4th of July parade. Beth gave the parade an Independence/Patriotic theme. There were now 10 patriotic floats at the beginning of the parade. Each float had an Independence theme with costumes and vocals broadcasted. There was over 12-15K estimated attendance at the 4th of July parade this year.

Michael Bleak, Iron County Commissioner, reported that he had attended the National Association of Counties (NACo) Annual Conference in National Harbor, Maryland over the weekend. Michael reported that he served on the Steering Committee for the Justice and Public Safety of NACo. He noted that NACo had a large lobbying presence in Congress. The Steering committees recommend resolutions and policy that they support to legislatures. The majority of the recommendations this year were regarding Emergency Management, combine funding streams for Federal Emergency Management Agency (FEMA) and Homeland Security. Many of the resolutions were for the groups to work together. As they were going through the process he realized that Iron County was already doing the things they were suggesting. Thanks to George Colson, Iron County Emergency Management Manager, Iron County was ahead of the curve on pandemic policies in place. He invited others to look at the program that was set up in Iron County. The cooperation in Iron County was unparalleled to anywhere in the Nation. One resolution was for a Bipartisan move to support a National Standard for an Emergency Management Accreditation Program. Mike stated that the program set forth by Iron County gave our residents the opportunity to continue to move forward during the pandemic. He had talked with Commissioners from Oregon that said the thought never came to them to use the COVID Relief Funds for a Small Business Grant Programs. He told them that they should contact Iron County Auditor, Dan Jessen to get information on the Grant Program he implemented. He expressed his deep appreciation to George Colson and Dan Jessen. A lot of the resolution themes was the agencies at the federal level needing to work with people on the county level. He noted that the conference had a visit from Vice President Harris and her meeting was not well attended compared to other visits from past Vice Presidents.

APPROVAL OF CLAIMS FOR PAYMENT FROM JUNE 28, 2021 TO JULY 11, 2021

Marilyn Wood made a motion to approve Claims for Payment from June 28, 2021 to July 11, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

No public comments offered.

**PRESENTATION OF THE IRON COUNTY 2020 INDEPENDENT AUDIT BY
KIMBALL & ROBERTS, CPA**

Gabe Miller, CPA, Kimball & Roberts, PC, explained page 1 of the Audit report. Gabe noted that it was Management's responsibility for the Financial Statements; and the Auditor's Responsibilities included express "opinion" reasonably assurance free from evidence about the amounts and disclosure in the financial statements. Based on Auditor's judgment and the audit evidence obtained, the opinion for Iron County was a "Clean Audit." He directed the attention to Page 5 and the financial highlights. Given that 2020 was a year affected by the COVID-19 pandemic, the \$ 66.7M net position with an increase of 7.3M was very net positive. Sales tax revenues had grown by 13.86%, Transient Room Tax (TRT) had increased by 3.13%. The total cost of all county programs was \$40.31M in 2020 and \$36.89M in 2019. Mr. Miller expressed appreciation for the opportunity.

Rick Roberts, CPA, Kimball & Roberts, PC, expressed his appreciation to Dan Jessen. Rick pointed out that on page 93, financial controls were examined but not audited. He noted that there were no weaknesses nor deficiencies to report. He noted that on page 94 under Compliance and other Matters, as a part of their State Compliance Audit Guide they found that Iron County was not in compliance in terms of Commission Minutes being posted within 3 days of being per Utah Code Annotated (UCA) 52-4. He noted that the minutes were listed on the site, but not always within 3 days. He noted that the site was not user friendly, but that transparency was critical and required by law. On page 95 a single audit regarding COVID funding revealed that the use of said funds was appropriate with no findings. Rick reported that, in terms of Iron County's compliance with each federal program, everything was well documented and in proper order with no findings. Regarding management responsibilities and Auditor responsibilities, Iron County was in compliance. Rick concluded by noting that Iron County was fortunate to have such excellent staff, Auditor and Treasurer. The financial records, controls, and oversight was exceptional. Mike Bleak expressed appreciation for the work done by Kimball & Roberts.

**RESOLUTION 2021-3, A RESOLUTION OF THE IRON COUNTY LEGISLATIVE
BODY NOTIFYING PAROWAN CITY THAT THE IRON COUNTY LEGISLATIVE
BODY IS NOT SEEKING TO IMPOSE A TAX UNDER CODE §59-12-70, ET. SEQ**

Jon Whittaker, Iron County Clerk, explained that he had been approached by Cleve Matheson, Parowan City Manager, regarding a resolution that was passed by Parowan City. The purpose of the resolution was for the Iron County Commission to notify Parowan City that they would not impose a county-wide Recreation, Arts, and Parks Tax (RAP). Paul Cozzens gave a brief overview of the Cedar City Council RAP tax. Paul Cozzens made a motion to approve Resolution 2021-3. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-3

A RESOLUTION OF THE COUNTY LEGISLATIVE BODY OF IRON COUNTY NOTIFYING PAROWAN CITY THAT THE COUNTY LEGISLATIVE BODY IS NOT SEEKING TO IMPOSE A TAX UNDER UTAH CODE §59-12-701, ET. SEQ.

Whereas, Utah Code Annotated § 59-12-1401, et. seq. Authorizes a city to submit an opinion question to its voters as to whether or not the city should impose a local sales and use tax of 0.1 percent on authorized transactions to fund cultural, recreational, and zoological facilities, and botanical, cultural, and zoological organizations in the city (commonly referred to as a “RAP tax”) only if the County will not be seeking to impose a tax under Part 7 of the code; and

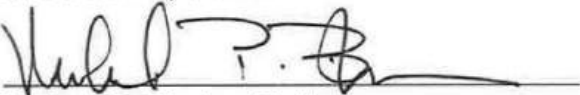
Whereas, Parowan City on June 24, 2021, passed a resolution notifying the Iron County Commission of Parowan City’s intent to submit an opinion question to City voters as to whether the City should impose a citywide “RAP” tax.

NOW THEREFORE, BE IT RESOLVED, by the County Commission legislative body of Iron County as follows:

1. The County Legislative Body of Iron County is not seeking to impose a tax under Part 7, County Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities, of Chapter 12, Title 59 (Utah Code Annotated §59-12-701, et. Seq.)
2. Parowan City is free to submit an opinion question to its voters regarding the imposition of Parowan City “RAP” tax.
3. This Resolution shall take effect immediately upon its adoption.

Passed and Adopted by the County Legislative body of Iron County, State of Utah, on this 12th day of July, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak – Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Aye </u>
Marilyn Wood	<u> Aye </u>

DISCUSSION AND POSSIBLE ACTION REGARDING THE DISPOSITION OF PROPERTY APN: C-645-178-1

Jon Whittaker, Iron County Clerk, explained that the property was located in Meadow Lake Estates. In the early 1980's there was a tax sale on this property. Currently, when a property was put on the tax sale it sells for "all or nothing." If it was not paid the whole property get put sold at the annual tax sale. At one time there was an ill-advised way of doing a proportional tax sale. As a result of that there was 6" of frontage on Lot 16 was sold on the tax sale. This became a problem as the property changed owners. The current owner stated that he was willing to pay for the 6 inches of frontage. Jon noted that Dan Jessen, Iron County Auditor, had pulled from the property from the 2021 tax sale as it wasn't in the public interest to sell the property. Dan Jessen explained that there was active bidding on this parcel. He had discovered the problem mid-sale. Dan reported that the frontage was being bid as an entire lot. The actual description listed it as "Lot 16, Block N in Meadow Lake Subdivision, less 221 feet. The entire lot was 227 feet. He was concerned that those bidding would assume that were bidding on the whole parcel. Dan reported that he had received a call noting that the listing was misleading. The problem would be that the bidder was under the impression they would get the whole lot, or the bidder, knowing it was just the frontage, wanted to buy it and bully owner of the property to block their access, and having them buy it from him for ten-times what he paid for it. He then pulled it from the tax sale. Dan reported that he called the high bidder to explain the issue and the bidder said he knew exactly what he was bidding on and was planning on approaching the owner and selling the access back to the owner. Jon explained that a new deed to the parcel was created to return it to the full lot and having it returned to the current owner. Owner offered to pay up to \$300 for the 6 inches of property if needed. Paul Cozzens noted that the county could charge the hard costs incurred by Iron County. Jon explained that the minimum price on the Insignificant surplus list was \$350. Marilyn Wood noted that we could explain to the current owners that the \$350 was the return of the hard costs to Iron County and there would be no profit to the county.

Marilyn Wood made a motion to approve the disposition of property APN: C-645-178-1 Block N, Lot 16 for \$350 to the current owners of the adjacent property. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE SALE, LEASE, OR DEED REMAINING PORTION OF CLOSED ROAD, 100 WEST IN SUMMIT, UTAH TO THE OWNER OF ADJOINING PROPERTY, ALOS POSIBLE DISPOSITION OF OTER UNUSED ROADS IN SUMMIT TOWNSITE

Michael Bleak, Iron County Commission Chair, explained that the item for discussion was a continuation from previous meetings for information to be collected for possible action.

Sam Woodall, Iron County Deputy Attorney, explained that a previously deeded portion of a platted road that had been built on (as with Mr. William Rafti's neighbor) did not have to have any action taken. What was left over was a portion of the road that remained without a residence. Since 2002, the definition of a county road was one designated as a road on plat map and could only be disposed by a municipality through the process of "Vacation." This would split the roadway down it's centerline with the adjacent owners receiving the half of the road their land is adjacent to. The plat map indicated that the portion of the "closed road" referred to by Mr. Rafti was indeed a road. The decision to vacate the remainder of the road would be to follow the "middle of road line" rule. Each adjoining property owner to the road, if decided upon to vacate it, would require that each get half of the road. Mr. Rafti was adjacent to a small portion of the said road, and the neighbor to the south would acquire half of the road. Sam reported that most of those he had spoken with had agreed the said road was a road of disposition if vacated and not to be deeded out as there was no owner of record. The only option was to vacate the road and to split the road to the three adjacent property owners or to do nothing. Jon Whittaker, Iron County Clerk, explained that he had researched each of the parcels in question. He expressed his appreciation to Sam Woodall for the work he had done. Jon explained that there were approximately 12 different parcels that were identified that might be in this same situation and he was able to eliminate most of them. Jon explained each of the parcel on the plat map to the


commissioners. Mr. Rafti was requesting the road, explained that land surveyors and attorneys he had spoken with had told him that the current explanation by Mr. Woodall was correct. He was concerned that his lot and next lot to the west were 3 rods deeper than other lots going west along Main Street. There was 49 feet on the Austin's Lot. Mr. Rafti reported that he had been told by the prior Iron County Engineer that half of the 3 rods should be deeded to him, half to the other owner (Rowley), then going south, half would go to Alan Dalley, and the other half to Brian Hammond. Mr. Rafti requested that if the road were to be vacated and divided if someone could remove all the vehicles that Allen Dalley had on the "closed road." Marilyn Wood noted that the removal of the vehicles was not the responsibility of the county. Jon Whittaker gave an overview and explanation of the plat issues. Paul Cozzens suggested that there be a meeting with all owners involved to inform them of the possible changes. Sam Woodall explained that they could meet with them as an open meeting and inform them or they could be notified individually. Paul Cozzens made a motion to table the issue and directed Jonathan Whittaker to give notice to the adjacent property owners for an public discussion. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.


STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION. NOTE: THIS PORTION OF THE MEETING MAY BE CLOSED PER UCA 52-4-205(c)

Paul Cozzens made a motion to move into a closed session to discuss pending or reasonably Imminent Litigation per UCA § 52-4-205(c). Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

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

I, Michael Bleak, 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) to discuss pending or reasonably Imminent Litigation.


Signed: Michael Bleak, Chairman


Attest: Jonathan T. Whittaker, County Clerk




NON-DELEGATED ITEMS
BOARDS

Michael Bleak made a motion to appoint Alecia Jones of Enoch City, to serve on the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael Bleak, Chairman


Attest: Jonathan T. Whittaker, County Clerk
July 12, 2021



IRON COUNTY COMMISSION MEETING

JULY 26, 2021

Minutes of the Iron County Commission meeting convened at 9:00 A.M. July 26, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Sam Woodall	County Deputy Attorney
Dan Jessen	County Auditor
Richard Wilson	County Engineer
Jennifer Bradbury	County HR Director
Jared Wilson	County Information Technology (IT)
Reed Erickson	County Planner
Carri Jeffries	County Recorder
Dennis Johnson	County TV Specialist

SYNOPSIS

ADJOURNMENT	12
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
DEPARTMENTAL REPORTS.....	2
INVOCATION	2
IRON COUNTY ROW ENCROACHMENT PERMIT CHANGES.....	9
MINERAL RIGHTS REGARDING APN: C-735 & C-735-1.....	12
MOU BETWEEN APPALOOSA SOLAR 1, LLC & IRON COUNTY	6
NON-DELEGATED ITEMS.....	12
ORDINANCE 2021-7, PUBLIC LAND CORNER PERSERVATION FUND.....	7
PERSONNEL	12
PLEDGE OF ALLEGIANCE.....	2
PROPOSED SUBDIVISION FINAL PLAT ESTATES AT SUNRISE RANCH	5
PROPOSED SUBDIVISION FINAL PLAT HARVEST FIELDS.....	5
PROPOSED SUBDIVISION FINAL PLAT PAINTED DESERT	6
PUBLIC COMMENTS	4
PUBLIC HEARING, PROPOSED MINOR SUBDIVISION (APN: E-113-RD)	4
RESOLUTION 2021-4, OPPOSING CONFIRMATIONATION OF STONE-MANNING.....	9

INVOCATION

An invocation was offered by Michael Bleak.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance given by Paul Cozzens.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held June 28, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM JULY 12, 2021 TO JULY 25, 2021.

Marilyn Wood made a motion to approve claims for payment for July 12th through July 25th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Carri Jeffries, Iron County Recorder, reported that there were 6,649 total recordings in the 2nd Quarter, 2,451 transfer documents, 22 subdivision plats and a total revenue of \$255,578.00. They had created 1,131 new accounts in the first three months of 2021. The Parcel Fabric Conversion would hopefully be transferred to the Iron County servers soon. It was not complete but it would be there to view the progress. Carri reported that the budget was on track at 53% spent.

Dennis Johnson, Iron County Television Specialist, reported that the budget was on track and everything was working, on schedule, and licensed. As mandated by the Federal Communications Commission (FCC), Iron County had been working on a project to "Repack" the television band by assigning stations to new channels. The project was completed, but there were still some bugs that had to be worked out. Some of the filters given to run the process were beginning to have some signals reduced and would have to be replaced. Dennis reported that there were some problems with the Frisco Peak generator transfer switch and he had ordered a new one. He noted that if Frisco Peak went down there would be a 4 to 5 county outage. Dennis was anticipating the rollout of the Advanced Television Systems Committee (ATSC) 3.0, which was an improved quality-digital signal. He was able to go through some equipment they had and refurbish and re-channel them and place them in Beryl to improve their signal output and quality. Dennis reported that his main priority was to keep the signal on the air. Michael Bleak reported that he had received a call from Scott Phillips, Cedar City Council, saying he had received a call that someone's TV signal was out and he gave Scott his number. Dennis noted that he would contact Scott and follow up on the complaint. He noted that during the previous week there was an outage of approximately 3 to 4 hours as a result of the generator transfer switch failing at Frisco Peak. He appreciated getting feedback about television problems. This gave him the chance to evaluate if the problem was within the system vs a personal problem with the individual's television. Michael Bleak reported that there was an outage with dispatch system from Summit to Paragonah last night because of all the rain/flooding. Dennis noted that Mr. Heath had called him for information and he found that there were power issues. Paul Cozzens asked Dennis what was happening with broadcasting. Dennis reported that it was put up and working properly.

Jared Wilson, Iron County Information Technology (IT), reported that the budget was on track. Jared reported on the major projects the IT Department had been working on: The Dash-Cams had been installed for the Sheriff's Department; the Iron County Landfill had been transitioned to a new server on site which the Parowan Landfill connects into. Future projects were: helping with the Graphical Information Systems (GIS) work for the Recorder's Office as Sunrise Engineering was handling the bulk of the project; bringing the Sheriff Office and the Iron County Jail onto Executime (time entry/payroll program). It had been a long process to revamp the system; Incode (Iron County Financial Server) would begin to be replaced at the July 26, 2021

beginning of August. It would be another big transition; Iron County Fair was coming up and IT was working to get them up and running; the process was started last month in the Assessor's Office with data transition and to move them to the live state system. Scanners had been ordered for the Assessor's Office, but they were on backorder. Jared reported that prices had dramatically gone up on computers and parts. He and Josh Meredith fixed the notification and law enforcement program, Everbridge that had gone down from home as the problem occurred after hours. Michael Bleak reported that at one point there was no dispatch capability from Summit and North as a result of Everbridge being down. Any emergency at that time had to be conducted through the "phone tree." Commissioner Bleak expressed that it was good that Everbridge was back up and running, and his appreciation to Jared and the IT Department for all they do for Iron County.

Marilyn Wood, Iron County Commissioner, reported that on July 13th, she attended the first Annual Sheriff's Department Awards Banquet. It was nice to see the Deputies recognized for their exceptional service and she hoped the Awards Banquet would continue. The Sheriff's Department care a lot about our county. On the 14th she went on an Off-Highway Vehicle (OHV) ride to Monroe Mountain with other Elected Officials, Governor Spencer Cox and other Government agencies and staff. It was a conservation trip to show them what had been done through cooperation with each other regarding the problems regarding beetle kill in the forests. The different agencies had been meeting once a month for 4 years and it was nice to see them working together. The environmentalist representative was in the meetings with them and were able to participate in the process. On July 15th she had attended the Iron County Home Builders Association "Meet the Candidates" luncheon. She encouraged the citizens of the cities hosting elections to attend the different debates and to become informed with each of the candidates.

Paul Cozzens, Iron County Commissioner, stated that the Government continued to print "Monopoly Money" and hand it out to the different cities and counties around the country. There was \$10.6M earmarked for American Rescue Plan Act (ARPA), but wished they would stop printing money that our kids would have to pay back. ARPA was a match funding program. HB 1004 earmarked \$50M of the State ARPA funds to use as a match on different county and city projects within the state. Paul explained the ARPA process and how it worked with the various entities requesting funds for projects. He reported that he had met with Senator Evan Vickers and discussed having the ARPA Committee divide the funds by 29 counties so it was allocated across the state equally. The initial plan was to give most of the funds to the CICWCD because they were not receiving any ARPA funding. Paul noted that Dan Jessen, Iron County Auditor, suggested that if each of the cities located in Iron County put a proposal together with projects that needed to be done, then Iron County could send a combined packet to the state for matching funds as a whole package, potentially quadrupling the local monies. Dan Jessen, Iron County Auditor, explained that the state could see that HB 1004, local match, could really help bring about infrastructure projects. Such projects are a legitimate need and would help alleviate wasting the money or any fraud. Paul reported that there was flooding over the weekend in Kanarrville and did some damage to property. He noted that he was very grateful for the moisture but the downpours resulted in projects to be done. Marilyn Wood noted that there was some flooding in Paragonah also and road work would have to be done. Paul reported that he had a meeting the previous week with the Cedar City Engineer, Iron County Planner Reed Erickson, Iron County Engineer Richard Wilson, and Natural Resources Conservation Service (NRCS) member Jason Dodds regarding the Waste Water Treatment Project. NRCS was working to get a National Environmental Policy Act (NEPA) assessment started and combine it with another project. One thought was to use the waste water for a secondary-pipe to farmers to water their fields and then they could idle their wells. The effluent water was already being used to some degree for livestock, but not as efficiently as it could be.

Michael Bleak, Iron County Commissioner, noted that Iron County had gone from extreme concerns with fire to flooding. Michael reported on the incident during the previous week when a Railroad track was washed out near Lund and a subsequent train derailment of 12-15 cars. Marilyn Wood reported that the Engines were still in Lund. Michael stated that Iron County's response to the derailment was phenomenal. Within minutes of the accident the Sheriff's Department, Fire Department, Emergency Management was mobilized, up and running, and in Lund beginning the rescue. Michael expressed his appreciation to the Iron County Road Department and Landfill for bringing their heavy equipment to help with the rescue. Rescuers had a difficult time getting to victims because of the rain. Bruce Anderson (Landfill), Preston Nelson, (Roads), and Wade Adams (Fleet Manager) spent hours operating equipment to clear up the roads. Then with the flooding problems in Kanarraville, Paragonah and Fiddlers Canyon the Street/Roads Department, Landfill, and the Fleet Manager were back out helping for many hours. Michael expressed his appreciation to the county employees. Marilyn noted that Chief Phillips used Cedar City's 6x6 Military vehicles to rescue the men. There were firemen from Cedar City, Kanarraville, Parowan and the time they had spent in training together help them coordinate to be ready to handle the situation. He noted they had to call in help from St. George and the Bomb Squad because there were explosives on the train. Marilyn Wood noted that her ranch was down the road from the derailment and she had received a call to use some their equipment, but that it was not available. She reported that the derailment was north of Lund and the runoff primarily came from Blue Mountain. The tracks were up and running.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED MINOR SUBDIVISION – “FIDDLERS CANYON LLC – SECTION 18 MINOR SUBDIVISION” (TWO PARCELS)

Reed Erickson, Iron County Planner/Services Coordinator, reported that the property was approximately 525.83 acres located near the northwest corner of the intersection of Iron Springs Road & Antelope Springs Road, Cedar City, UT, within the S½ Section 18, T35S, R12W, SLB&M, APN: E-113-RD. Reed explained that the Iron County Planning Commission had reviewed and recommended the project for consideration by Iron County Commission. The property was all zoned industrial. Frank Nichols had applied for and received a Conditional Use Permit (CUP). Reed explained that 40 acres from the bottom right of the parcel was taken out of the 525.83 acres for the minor subdivision. The proposed Minor Subdivision would be served by a well was currently on the property, septic, and zoned industrial. There was frontage on the Iron Springs Road and access would be from the Antelope Road.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open. No public comments were offered. Michael Bleak declared the Public Hearing closed. Reed Erickson then reviewed the Standard Code 16.20.130 - Minor Subdivision. There would be no roads to be dedicated. There was a variation of asphalt pavement.

Paul Cozzens made a motion to approve the proposed Minor Subdivision “Fiddlers Canyon LLC – Section 18 (two parcels) with findings and variation, as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

Regina Tashjian, Cedar Highlands HOA Board of Directors, expressed her concern regarding road issues heading into Cedar Highlands. Bulloch Dirt Works was called to repair road damage as a result of the heavy rain, which was paid for out of the HOA funds. They were encouraged by the May Multi-Agency Wildfire exercise. She reported that she had observed, first hand, the difficulty the Fire Department vehicles had to get up the main road. Regina expressed her appreciation to the Iron County Commissioners, Reed Erickson, and George Colson for showing care and concern for their small community. She reported that while she was coming down the road to Cedar City she had some boys pass her on dirt bikes at a very high speed, which happened often. She explained that the road was a major thoroughfare for traffic

coming up for recreation and travel. She noted that she would like the dialogue to continue regarding the road issues.

William Pressgrove, a citizen of Iron County, explained that he would be giving a rhetorical statement regarding Iron County zoning laws. He stated that zoning in Iron County was becoming a farce. One owner can request a RA-20 zone for his property. That owner could sell his property and the next owner requested an A-20 zone because what he wanted to do did not fit a RA-20 zone. So the Planning Committee goes through the process to rezone it back to the original RA-20. He had also seen other examples where the property owner wanted an indoor arena but was not zoned for that use, so he changed the proposal to a barn and built the arena to get around law. A CUP mitigates any kind of rules on zoning. It had made a hodgepodge of zones with different things they could do and becomes a "let's see if we can get around the rules by using a CUP". Mr. Pressgrove stated that his concern was how to stop the abuse of the zones by individuals who don't like the zone and go to the planning commission to change it. It did not make sense to have so many CUP's and Zones changed at a whim because they want to change it.

DISCUSSION AND POSSIBLE APPROVAL OF PROPOSED SUBDIVISION, FINAL PLAT - "THE ESTATES AT SUNRISE RANCH-32 LOTS"

Reed Erickson, Iron County Planner/Services Coordinator, explained that the Preliminary Plat had been presented to the commission and approved at a prior commission meeting. This was now brought before the commission for the approval of the Final Plat. The property was approximately 34.82 acres located at approximately 3700 N 2300 West, Cedar City, Utah, within SW¼ NE¼ Section 21, T35S, R11W, SLB&M, Iron County, Utah (APN: D-616-617). Reed reported the property was zoned R ½ and the proposal was for 1 acre lots (.95) because of drainage issues. The property was flat and they couldn't get the sewer and as a result there was a unique sewer design created. The road was misaligned and the developer agreed to a frontage road for service and created a square intersection. He reported that the shallow lot and drainage issues had been resolved. The property would be served by the Central Iron County Water Conservancy District (CICWCD) with improvements for a larger system which would include a fire flow. Variances to be included were: no curb and gutter, sidewalk, no lighting and fencing-only on 2300 W and the southern boundary (fencing was present on the East and North). Reed explained Code 16.16.070-Final Subdivision Application approval. Final Plat Check list: Compliance with primary plat, construction drawing/improvements had been completed by the Iron County Engineer and signed the plat. The financial guarantee and tax clearance had been approved and was just waiting for a Letter of Approval from the bank. Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the proposed Final Plat "The Estates at Sunrise Ranch, 32 Lots," with the shallow lot issues & drainage resolved, and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission for approval, with variances and subject to be recorded after the Letter of Approval from the bank was received. Marilyn Wood noted that there was an issue in the Westview Subdivision with sharp turns and residents parking in front of their house and emergency vehicles not having enough room to pass if needed. There was signage placed for no parking in front of houses on turns. Now the residents were angry because they are unable to park in front of their own homes. She asked Reed if the roads could be modified with the width of the sharp turns. Reed reported that in the Sunrise Ranch Subdivision there would be frontage on two corners and more access around the corners. Corner lots could not plant 40 feet back each way for turn line-of-sight. Changes could be made to expand and include vehicles in the zoning section of the ordinances. Marilyn Wood explained that the Homeowners Association (HOA) had contacted her and when she and the Sheriff went out the Sheriff was also concerned about it. Marilyn Wood made a motion to approve the Subdivision, Final Plat – "The Estates at Sunrise Ranch, 32 Lots" approximately 34.82 acres located at approximately 3700 N 2300 West, Cedar City, Utah, with variations, as recommended by Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED SUBDIVISION, FINAL PLAT - "PAINTED DESERT SUBDIVISION, PHASE 1-31 LOTS"

Reed Erickson, Iron County Planner/Services Coordinator, explained that the Preliminary Plat was presented to the Commission and approved at a prior commission meeting. The property was approximately 20.64 acres located at approximately 5150 N 2300 West, Cedar City, Utah, within the N½ NW¼ SE¼ & NE¼ NE¼ SW¼ Section 9, T35S, R11W, SLB&M, APN: D-528-4. Reed reported that Sunrise Meadows, Peak View and the Painted Desert Subdivisions all fed into a sewer line to a pump station. It had been a challenge because of the depth of lots and some of the lots were smaller than ½ acre, a maximum density subdivision allowed density based on property. The subdivision would be a mix of one acre and ½ acre lots, and setback on lots 1 through 11. He reported that there was a drainage issue where one lot used to collect all the drainage from the north. Reed reported that the owner worked with the Iron County Engineer and a concrete container would be placed on each side of the drainage area with an asphalt walking path over to help handle the drainage. There was a variance of no curb/gutter, sidewalk and street lights. Served by the pump station located on the NW corner. Reed Erickson reported that the Iron County Planning Commission had reviewed and discussed the proposed Final Plat, "Painted Desert Subdivision, Phase 1, 31 Lots" and determined that the applicable ordinances and policies had been complied with for recommendation before the Iron County Commission for approval, with variances. Paul Cozzens made a motion to approve the Final Plat - "Painted Desert Subdivision, Phase 1, 31 Lots" based on findings with variations as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED SUBDIVISION, FINAL PLAT - "HARVEST FIELDS SUBDIVISION, PHASE 1 - 7 LOTS"

Reed Erickson explained that the Preliminary Plat was presented to the Iron County Commission and had been approved at a previous commission meeting. The property was approximately 173 acres located at approximately 3400 S 7700 W, Cedar City, UT within the NE ¼ Section 5, T37S, R12W, SLB&M, APN: E-268 and was Rezoned RA-20. It was currently in an agricultural pivot and being subdivided into six 20-acre lots and one 40-acre Lot, and met all standards for subdivision. Reed Erickson reported that the Iron County Planning Commission reviewed and discussed the proposed Subdivision Final Plat, "Harvest Fields Subdivision, Phase 7 Lots" and determined that the applicable ordinances and policies had been complied with for recommendation to the Iron County Commission for approval. He explained that he was waiting for a Letter of Approval from the bank, which would be delivered later today, and subject said letter, would be recorded. Marilyn Wood made a motion to approve the Final Plat - "Harvest Fields Subdivision, Phase 1 - 7 Lots" as recommended by the Iron County Planning Commission, with stipulation of Letter of Approval from the bank. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN APPALOOSA SOLAR 1, LLC, AND IRON COUNTY FOR CONSTRUCTION IMPROVEMENTS ON LUND HIGHWAY

Reed Erickson, Iron County Planner, explained that this was concerning the paving of part of Lund Highway. Appaloosa Solar had come forward and would like the road to be chip sealed before they began their new solar project. Appaloosa Solar had offered to help chip seal the road to accelerate the process. In the MOU, Phase 1 of the chip sealing would be done entirely by Appaloosa Solar in the next month or two. They would begin construction for the access to the drive way, and each section was 1.4 miles. Phase 2 would be performed and paid for by Iron County the follow year. Phase 3 would be a cooperative split between Appaloosa and Iron County and specifications would be made then who would participate and how much. There were other solar companies developing on the other side of the road and it was anticipated that they might ask to participate later. In the MOU, it was not specified how far to go to with the paving. Either the gap or where Horse Hollow Road cuts off. Reed noted that the 3.86 miles in July 26, 2021

Sections 1, 2, and 3 was what was specified in the CUP that Appaloosa Solar would be responsible to repair and reconstruct as result of the trucks. With the next Phase or other CUP's, the language would allow for future agreements and amendments for additional space. Tim Stuhr, Appaloosa Solar, was present if there were any questions for them.

Paul Cozzens made a motion to approve the MOU between Appaloosa Solar 1, LLC, and Iron County for construction improvements on Lund Highway. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ORDINANCE 2021-7, ESTABLISHING A PUBLIC LAND CORNER PRESERVATION FUND PER UCA §17-23-19.

Dan Jessen, Iron County Auditor, explained that Section Corners in the Public Land Survey System (PLSS) form the foundation for all descriptions of private property and public land boundaries in Utah. Every property description and map always start with a reference to a PLSS Section Corner. It was Iron County's responsibility to preserve them. In 2015, SB264 created the Survey Monument Preservation Act. It was a Legislative act and was approved for one-time funding. In 2018 it was appropriated funding again. Each year hundreds of section corners that were used to determine property locations were in danger of being destroyed by land disturbances. Dan reported that Iron County had been awarded funds in the past. There was a line in the Engineers budget that read "Engineering/Monumentation" for money to be set aside for the Monument Preservation work. In order to apply for funds, the county had to have a Public Land Corner Preservation fund and Iron County currently did not have one. Carri Jeffries, Iron County Recorder, would like to apply for funds so Iron County needed to create a trust liability fund. He explained that every time a survey was filed in the Recorder's Office, the fee that was charged would go into this fund to be spent on the maintenance of the monuments. Step one was to set up a fund through an Ordinance, Step two was to collect a fee. Iron County had been collecting the fees but did not have an established fund. Utah Code 17.23.19 reads "The county legislative body may establish by ordinance a fund to be known as the Public Land Corner Preservation Fund. Money generated for the fund shall be used only to pay expenses incurred and authorized by the County Surveyor in the establishment, reestablishment, and maintenance of corners of government." After further discussion, Marilyn Wood made a motion to approve Ordinance 2021-7, establishing a Public Land Corner Preservation Fund Per UCA § 17-23-19. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Woods, Aye.

IRON COUNTY ORDINANCE 2021-7

ESTABLISHING A "PUBLIC LAND CORNER PRESERVATION FUND" TO PAY EXPENSES INCURRED AND AUTHORIZED FOR THE ESTABLISHMENT, REESTABLISHMENT, AND MAINTENANCE OF CORNERS OF GOVERNMENT SURVEYS.

Whereas, properly established and documented section corner monuments are vital to accurate and precise land surveys; and

Whereas, licensed land surveyors that makes a boundary survey of lands within Utah must file a map of the survey with the County Surveyor or designated office per Utah Code Annotated (UCA) 17-23-17 (2) et seq; and

Whereas, the County Surveyor or their designee shall set monuments of durable quality that are carefully described, and their bearings and distances noted in the report per UCA 17-23-13.

Whereas, Iron County desires to establish, reestablish and maintain vital Section and Township corner monumentation and notation.

NOW THEREFORE, THE IRON COUNTY BOARD OF COMMISSIONERS ORDAIN that a fee be collected (or continue to be collected) for the filing of maps with the Iron County Surveyor or designee, and that the Iron County Commission directs that a "Public Land Corner Preservation Fund," be established, and that said filing fees be deposited with the Iron County Treasurer to pay expenses incurred and authorized by the County Surveyor or designee in the establishment, reestablishment, and maintenance of corners of government surveys.

Passed and Adopted by the Iron County Commission on this 26th day of July, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak – Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



VOTING:

Michael P. Bleak Aye
Paul Cozzens Aye
Marilyn Wood Aye

DISCUSSION AND POSSIBLE APPROVAL OF CHANGES TO THE IRON COUNTY RIGHT OF WAY ENCROACHMENT PERMIT APPLICATION AND INDEMNIFICATION POLICY

Richard Wilson, Iron County Engineer, explained that during recent months there had been an increase of encroachment permits and they were typically approved. The purpose of the bonding was to protect the county, if the company/business leaves or if the landowner doesn't follow through to restore the right of way (ROW) back to its original condition, the Iron County Engineers/Road Department would complete the task. The bond is held for one year after the work was completed to insure there were no problems later. Richard noted that Iron County did not have any leverage making sure the work was done in a timely manner. At times asphalt/pavement would be cut and/or disturbed and nothing would be done to restore it at that time because the bond was for one year. He reported that there were two issues to be considered: timeliness and fees. Some easements disturb chip seal or asphalt where others do not. When the pavement was disturbed it was more expensive to restore. Richard explained that he would recommend that: With pavement disturbance the determination of bond should be \$10.00 per square foot for the entire excavation within the ROW if any asphalt or chip seal was cut, with a minimum bond of \$1,750. Without pavement disturbance the determination of bond should be \$6.00 per square foot for the entire excavation within the ROW if no asphalt or chip seal was cut, for a minimum of \$750. If it was later discovered that the asphalt or chip-seal cutting was required, the individual shall contact the Iron County Engineer Office prior to commencing work and the increased bonding amount shall be paid. He reported that for leverage he added: "If the asphalt or chip-seal was disturbed, the disturbance shall be hot-patched (if available) or temporarily cold-patched within 24 hours of cutting, the disturbance shall be hot-patched prior to final inspection before bond release. If the asphalt or chip seal disturbance was not hot or cold patched within 72 hours of cutting, the County Road Department may perform the patching and the cost of materials, labor, and mobilization shall be deducted from the bond." He noted that Iron County could take no action at the present, but to call them and to encourage them to fix the ROW. The current Encroachment allowed them one year to restore the ROW. Paul Cozzens stated the 24 hours was too fast and suggested 2 weeks giving the pack time to settle, and a traffic plan may help. Richard said there was no traffic plan and he would look into it. He would amend the ROW Encroachment Permit from 24 hours to 2 weeks of cutting and the Road Department would come in at 3 weeks to perform the patching. Paul Cozzens made a motion to approve the changes to the Iron County Right-of-Way Encroachment Permit Application and Indemnification Policy with the amendment to allowing repair within 2 weeks (if there were a pavement disturbance) and 3 weeks for the Road Department to perform the patching (if not completed within 2 weeks), and price adjustments as presented by Richard Wilson. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye. Richard expressed his appreciation to Mike Edwards for all the work he did for his department and Iron County.

RESOLUTION 2021-4, OPPOSING THE NOMINATION OF TRACY STONE-MANNING AS THE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT AND URGING THE U.S. SENATE ENERGY AND NATURAL RESOURCES COMMITTEE AND FULL SENATE BODY TO REJECT THE NOMINATION

Marilyn Wood, Iron County Commissioner, explained that when she had met with Senator Lee he expressed his concern about the nomination of Tracy Stone-Manning as Director of the Bureau of Land Management (BLM). While she was on a conference call with the Utah Association of Counties (UAC) the same concern was expressed. As a state it was decided and approved to create a resolution that would be sent to all counties in Utah for consideration. Marilyn read "Iron County Resolution 2021-4 Opposing President Biden nominated Tracy Stone-Manning as National Director of the United States Bureau of Land Management and urging the U.S. Senate Energy and Natural Resources Committee and full Senate Body to reject the nomination" (See attached Resolution below). Michael Bleak expressed his concerns with the nomination that the County Government worked very close with the Bureau of Land

Management and those relationships were critical. These types of nominations could severely damage those relationships. Marilyn Wood made a motion to approve Resolution 2021-4, opposing the nomination of Tracy Stone-Manning as the Director of the Bureau of Land Management and urging the U.S Senate Energy and Natural Resources Committee and full Senate Body to reject the nomination. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-4

OPPOSING PRESIDENT JOE BIDEN'S NOMINATION OF TRACY STONE-MANNING AS NATIONAL DIRECTOR OF THE UNITED STATES BUREAU OF LAND MANAGEMENT AND URGING THE U.S. SENATE ENERGY AND NATURAL RESOURCES COMMITTEE AND FULL SENATE BODY TO REJECT THE NOMINATION

Whereas, President Joe Biden nominated Tracy Stone-Manning (Stone-Manning) to be National Director of the United States Bureau of Land Management;

Whereas, Stone-Manning's past and recent conduct and statements give rise to grave concern that the BLM may be lead by someone with ties to radicalized eco-terroristic activity;

Whereas, Stone-Manning's background and ties are so troubling even for a former BLM Director under President Obama, Robert Abbey, publicly called on President Biden to withdraw Stone-Manning's nomination. Said Abbey,

"As a 30-year BLM career employee, I don't take her actions lightly nor should anyone else. If Stone-Manning participated in any aspect of planning, implementation or cover-up in the spiking of trees, then she should not be confirmed."

Whereas, concerns over Stone-Manning's nomination include:

(1) Her alleged links to a 1989 eco-terrorist plot to spike Idaho trees (jamming 8-10" metal spikes into trees which turn into lethal projectiles when each tree is processed for logging);

(2) Her admitted editing, re-typing and sending a troubling anonymous letter as part of that plot, to the Forest Service (excerpts include, "The sales were marked so that no workers would be injured and so that you a-holes know that they are spiked;" and, "You bastards go in there anyway and a lot of people could get hurt.");

(3) Her allegedly misleading the Senate Energy and Natural Resources Committee ("the Committee") on whether she was ever a target of the Federal criminal investigation into that tree-spiking plot, (ranking member Sen. John Barrasso, R-Wy. said publicly, "It's clear that Ms. Stone-Manning was intentionally trying to deceive the Senate Committee on Energy and Natural Resources. She told the committee she had never been the subject of an investigation and yet complained about being investigated in the press;" and fifteen members of the Committee sent a letter to the President sharing that concern and urging withdrawal of the Stone-Manning nomination);

(4) Her accepting legal immunity to keep from being prosecuted for that tree-spiking plot, in exchange for testifying against the plot's co-conspirators who were convicted and went to prison;

(5) Her reputed, long standing outright opposition to livestock grazing on public lands;

(6) Her association with 1980s, 1990s, and 2000s radical advocacy groups like Earth First who militantly opposed grazing and other multiple uses on public lands and expressed their views through extensive property damage and various violent attacks;

(7) Her tweet last year (2020) in support of her husband's 2018 Harper's Magazine article that radically declared the U.S. Forest Service should let houses in and near forests burn as a type of "social contract," and "perhaps the solution to houses in the interface is to let them burn," and "perhaps the feds should commit themselves to refusing to send in any troops to any county that has not taken such measures;"

(8) Her support for a Montana housing development project followed by her allegedly receiving a favorable loan (6% interest when the going rate was 11%) from the developer of that project two years later;

(9) Her graduate thesis urging two-child-only population control to protect the environment ("..we must breed fewer consuming humans..");

(10) Her devising related advertisements such as one pushing the two-child policy and calling a pictured "cute baby" "an environmental hazard.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS

1. Tracy Stone-Manning is unfit and disqualified to lead the BLM and National Director nor to hold any office of responsibility in the United States Government.

2. A National BLM Director should never be under a cloud of suspicion over alleged ties to ecoterrorism, never be on record urging destruction of human dwellings in a wildfire, never be widely suspected of misleading a Senate Committee when exercising its oversight role; never be be linked to drastic population control policies that hideously limit children and call a baby an environmental hazard, never be under a cloud for allegedly taking financial favors for advocating a position on an environmental matter, and never be a reputed wholesale opponent of public lands grazing when the BLM's very creation was to manage the unreserved public domain as grazing districts and allotments, among other uses.

3. Iron County, Utah calls on the U.S. Senate Energy and Natural Resources Committee and Senate body to reject the pending nomination of Tracy Stone-Manning for Bureau of Land Management Director, for the reasons stated above;

4. This is necessary to preserve the integrity and mission of the BLM;

5. This is necessary to uphold the faith and trust the BLM must have with State and County leaders and Americans in general.

6. Protecting public lands management from the blight of eco-terrorism, criminal conduct and the specter of China-style population control are at risk if the Senate do not reject the nomination of Tracy Stone-Manning.

UNANIMOUSLY APPROVED and signed this 26th day of July, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak – Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



VOTING:

Michael P. Bleak _ Aye _
Paul Cozzens _ Aye _
Marilyn Wood _ Aye _

PERSONNEL

Jennifer Bradbury presented the promotion of Brittany Fisher from Appraiser Trainee to Apprentice Appraiser in the Assessor’s Office, with corresponding pay, effective July 26th.

Jennifer Bradbury expressed her appreciation to Mike Edwards, Iron County Deputy Attorney, for the service he provided Iron County. He was great to work with and he would be missed.

Jennifer presented for approval Chief Deputy Attorney, Civil, Sam Woodall, selected by Chad Dotson, to fill the upcoming vacant position and upon approval will move from hourly to exempt salary status with corresponding pay, effective July 25th.

Paul Cozzens made a motion to approve the promotion of Brittany Fisher from an Appraiser Trainee to Apprentice Appraiser in the Assessor’s Office, with corresponding pay, effective July 26th and approve the promotion of Sam Woodall to Chief Deputy Attorney, Civil, effective July 25th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

The Iron County Commissioner’s expressed their appreciation to Mike Edwards for his years of service with Iron County and as the Iron County Chief Deputy Attorney over civil matters. They wished him well on his new endeavors and expressed that he would be greatly missed.

NON-DELEGATED ITEMS


No Non-Delegated items discussed.

DISCUSSION AND POSSIBLE APPROVAL OF THE SALE OF MINERAL RIGHTS ASSOCIATED WITH APN: C-735 & C-735-1. 40 NET MINERAL ACRES. NOTE: THIS PART OF THE MEETING MAY BE CLOSED PER UCA §52-4-204 (e)

Marilyn Wood made a motion to move into a closed session regarding the possible approval the sale of Mineral Rights associated with APN: C-735 & C-735-1, 40 Net Mineral Acres, per UCA §52-4-204 (e). Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

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

I, Michael Bleak, 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(e) strategy session to discuss the sale of real property.


Signed: Michael Bleak, Chairman


Attest: Jonathan T. Whittaker, County Clerk



ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael Bleak, Commission Chair


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
AUGUST 9, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. August 9, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Sam Woodall	County Deputy Attorney
Karsten Reed	County Assessor
Chad Dotson	County Attorney
Dan Jessen	County Auditor
Stephanie Furnival	County Children’s Justice Center
Danny Stewart	County Economic Development
Richard Wilson	County Engineer
Jennifer Bradbury	County HR Director
Reed Erickson	County Planner
Carri Jeffries	County Recorder
Dennis Johnson	County TV Specialist
Brionna Garrett	County Victim Advocate

SYNOPSIS

ADJOURNMENT	12
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
DEPARTMENTAL REPORTS.....	2
INVOCATION	2
NON-DELEGATED ITEMS.....	11
ORDINANCE 2021-8 REGARDING APN: E-1900-47 & E-1900-50	6
PERSONNEL	11
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	8
PUBLIC HEARING REGARDING APN: D-602-3 (ZONE CHANGE RA-20 TO R-1).....	5
PUBLIC HEARING REGARDING APN: E-179 (ZONE CHANGE A-20 TO LI)	5
RATIFICATION OF LOCAL CONSENT PERMIT FOR RED ACRE FARMS.....	8
RESOLUTION 2021-5, AUTHORIZE FILING OF A CROSS APPEAL	8
UTAH RURAL COUNTY GRANT APPLICATION	10

INVOCATION

An invocation was offered by Karsten Reed.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance given by Brionna Garrett.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held July 12, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM JULY 12, 2021 TO JULY 25, 2021.

Marilyn Wood made a motion to approve claims for payment for July 26th through August 8th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Karsten Reed, Iron County Assessor, gave a presentation regarding a successful office. Karsten highlighted 5 areas of emphasis the Assessor's Office was striving for: responsibilities, standards, staffing, report card, and conclusions. He discussed experience and technology. Exilda Serrano was the longest tenured appraiser with over 10 years' experience, then Teresa Caldwell with 7 years. All other employees have been with the office less than 3 years. Because of the relative inexperience, a great deal of training would be required. The average cost of training an appraiser was \$60K. The process of licensure requires multiple years of effort, experience, training and testing. Karsten noted that the Assessor's Office was in the process of updating their Computer Assisted Mass Appraisal (CAMA) system to a system called Puma, which might save Iron County the expense of the original system. He discussed how Assessor's Office staff might be proactive versus reactive regarding changes in the Real Estate market by understanding supply and demand as well as interest rates. Karsten noted that Utah Code mandates that each parcel be reappraised every 5 years. Permit loads vary from year to year and must be adjusted to. In 2020, a total of 1,500 building permits were submitted, with roughly that amount already being submitted in 2021, putting this year on a much higher pace of construction, and putting a great deal of pressure on the Assessor's Office. Much of the work, though assisted by technology, is "boots on the ground," work, done by individuals. Appraisals are to be based on "Fair Market Value," or the price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having a reasonable knowledge of the facts (UCA 59-2-102 (13) (a)). Karsten then discussed the Assessor's Office duties of real property discovery and valuation, Board of Equalization (BOE), state appeals, and court cases. There were 51,733 total parcels in Iron County at that time. Iron County is unique in that so many parcels are vacant non-agricultural land at 43%, with roughly half being all other types. Fortunately, with the high percentage of non-primary parcels, the time consuming and difficult commercial properties are relatively fewer in Iron County. He noted that Iron County has a relatively high number of parcels per appraiser among counties in Utah. This disparity was particularly stark among larger counties and adds to appraiser workloads. Karsten noted that the International Association of Assessing Officers (IAAO) recommends that Iron County have 12 appraisers, based on parcels per appraiser, and the Utah State Tax Commission recommends 9. He noted that Iron County currently had 3 appraisers. Karsten did express that, in spite of the shortfall of appraisers, the Assessor's Office was comfortable with its workload. His staff were all diligent and hard working. Karsten expressed that his office was running efficiently and that the citizens of Iron County were getting a good value for their tax payer dollars in that regard. He expressed that such was true throughout the courthouse. Karsten discussed challenges regarding Personal Property. He noted that the above mentioned Puma was likely to help with managing personal property. While unpopular, Personal Property is an important tool that brings in nearly 30% of revenues and would otherwise have to be shifted to real property owners if

eliminated. He noted that Teresa Caldwell is responsible for Personal Property and does a very good job. Karsten discussed Farmland Assessment or Greenbelt. He noted that Bradden Beaumont was responsible for Greenbelt. Iron County was home to many farmers and ranchers, and managing the applications, approvals, classifications, valuations, and rollbacks of Greenbelt was an enormous responsibility. Karsten noted that to evaluate an Assessor's Office, the Utah State Tax Commission performs an "Assessment Sales Ratio Study." In Utah, "Real Property Transfer Survey's" are sent to buyers and sellers of real property to help determine sales prices and trends. Utah is a non-disclosure state, which means said surveys are optional to complete and return. Another valuable source of information is the "Multiple Listing Services," used by real estate professionals. The objective of Assessor's Offices is to be within 90% to 110% of Fair Market Value, based on the above mentioned Assessment Sales Ratio Study. Karsten noted that the supply of appraisers is very limited. The challenge of becoming a licensed appraiser, plus demand in the private market has caused there to be an acute shortage of appraisers in county government.

Chad Dotson, Iron County Attorney, reported that the budget was on track. The office was down an Attorney with Mike Edwards leaving. The court was able to hold their first in-person trial since COVID restrictions began. They were able to get a conviction on a drug felony case. Chad reported that the remodel of Walmart had brought in outside people to do the remodel. A lot of the workers were living in Motel 6 and there had been an increase of calls of violence from there. There had been a shooting/attempted murder in the parking lot of Motel 6. There had been 2 aggravated assault calls, 1 domestic violence, and the attempted murder, all employees from the Walmart remodel. He stated that Walmart needed to do a better background check on their workers. Chad reported that there had been 822 cases processed in the Justice and District Courts this year (not including Juvenile Court). The Opioid litigation was moving slowly. He continued to receive updates from the law firm representing Iron County. Negotiation settlements continued but there was no progress. Chad reported that it was difficult to recruit newly graduated attorneys because of the low starting pay in Iron County. He noted that he would address the issue later on the agenda. Chad expressed his appreciation for all the involvement of the commissioners with the Enoch flooding.

Stephanie Furnival, Iron County Children's Justice Center (CJC) Director, Stats for Iron, Kane, Beaver and Garfield County. Interviews numbers were of children who came into CJC to receive services. Stephanie explained that no one was forced to have a medical exam, but it was offered. Safe and Healthy Family Services from Primary Children's Hospital perform the medical exams. Stephanie reported that they do not have a contracted Mental Health Therapist for Beaver and Garfield Counties. There was funding for it, but they were having a difficult time finding a therapist because she was only allowed to pay them the Federal rate at \$80/hour vs \$120/hour as a private therapist. She was working with the Cambria Foundation (\$1M Grant that was awarded to the CJC's in the State of Utah) to help with TeleMental Health. Her goal was to have the Attorney General's Office Chapter hire a Mental Health Counselor that would work through TeleMental Health that could serve individual CJC's and eventually all CJC's. Stephanie noted that the Mental Health Therapists in Iron County were at capacity already. She noted that Beaver and Garfield Counties were offered services and the opportunity to work with the local therapist and Southwest Mental Health therapists. Stephanie explained that the CJC was on a different fiscal budget year than Iron County. The new fiscal year began July 1st. The CJC had been funded \$978,644 (Federal level funding) through a 2-year Victim of Crimes Act (VOCA) Grant. The VOCA Grant funding paid for a part of her salary and all of the mental health therapists. There was a slight increase of the State funding which helped general programs, utilities, most of her salary and victim advocates. She recently applied for the Omaha-VidaNyx Grant (2 year) in the amount of \$21,140 for Cloud storage of victim interviews. The VidaNyx system would provide security for trust given, instant access, and protection of evidence. Only CJC provide transcript in state of Utah. Very detailed and specific. VidaNyx would transcribe the interview. Currently it cost \$500 for a Spanish transcription. VidaNyx would also offer that. The fundraising Golf tournament was upcoming on September 10th.

Brionna Garrett, Iron County Victim Advocate Coordinator, reported on the statistics from July 2020 to June 2021: There had been 830 victims served-124 adult physical assault cases, 46 adult sexual assault cases, 91 child physical abuse cases, 165 child pornography/sexual abuse cases, 172 domestic violence cases, 53 stalking and harassment cases, and 17 homicide victims. The services were offered to the victims and their family and friends associated with the cases. The new VOCA grant was approved to just over \$384K spread into 2 years. The VOCA grant amount decreased this year and as a result she had to make cuts. Brionna reported that she would be looking for more Training Grants. Because of COVID-19 there had been a lot of in-house training but more was required to be where they should be. Goals for improvement: Officer relationships and doing more ride-alongs to get to know them better; Community Partner relationships and attending the coalition meetings. In June, they were able to attend a Mass Casualty Training in Boston. Michael Bleak explained that last week he responded to a suicide as a member of the Medical Examiner's Office. By the time he had arrived Jaden Thomas (Sheriff Office Victim Advocate) was already there and was able to get information in a manner that was easy on the family. He was there for the family and not in the roll of an officer. Michael expressed his appreciation to the Iron County Advocate's and said they were a great asset. Brionna explained that the VOCA Grant funds were limited to crimes/victims and could not respond to suicides but was working on getting them included. Michael commended her staff with the great service that they provide.

Marilyn Wood, Iron County Commissioner, reported that some members of her family were victims of the flooding in Enoch and it was heartbreaking to see what everyone affected was going through. A lot of ranchers were affected by flood waters by washing out roads and fences, etc. Marilyn reported that on Aug 3rd she attended an Aspen Workshop regarding the regeneration of the Brian Head Fire. The Aspen Trees don't burn like other trees. A lot of Pine trees burned and Aspen didn't which was a reason for the Aspen regeneration. She reported that part of the flooding in Kanarraville was due to ditches running over their banks. As a county we need to keep the ditches cleaned out to help with flood control. She asked that the citizens of Iron County be conscious of the ditches and allow the county to come in and keep them cleaned. She was also able to attend a dinner with Senator Chris Stewart and Senator Case from Hawaii. It was positive to talk with him. Members of the Piute Tribe visited the event and shared their history.

Paul Cozzens, Iron County Commissioner, reported that he operated a loader at the flooding in Enoch and it was heartbreaking to have to throw so many personal memories away. It was heartwarming to see the community pull together. Paul expressed his appreciation to Reed Erickson regarding his efforts on the Newcastle Fire Station. Iron County received \$200K from the Community Development Block Grant (CDBG) and Iron County would contribute \$100K. He reported that the Community Impact Board (CIB) approved a \$200K Grant and \$200K loan at 1%. The final approval would be in October.

Michael Bleak, Iron County Commissioner, reported that he had spent a lot of time with flood issues with Emergency Management (his commission assignment) and working out in Enoch. He noted that there would be an "after flood" action report at the next meeting. He also met with Representative Chris Stewart and Representative Thomas West of Ohio. On Saturday, he was able to spend time with Celeste Maloy, Legal Counsel for Congressman Stewart and she told him that Representative West said "I knew nothing regarding agriculture and wild horses, and the way Marilyn Wood described the issue to me, I get it and am in full support." Marilyn stated that his commitment was a big step for us.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM "RURAL AGRICULTURE 20 (RA-20) TO RESIDENTIAL 1 ACRE (R-1) AND PROPOSED MINOR SUBDIVISION "SAGE FLAT MINOR SUBDIVISION – 3 LOTS"

Reed Erickson, Iron County Planner, reported that the property was approximately 20.62 acres located near 3851 West Midvalley Road, Cedar City, UT, within the NE¼ NE¼ Section 18, T35S, R11W, SLB&M, APN: E-113-RD. Reed explained that the Zone Change and Minor Subdivision were separate items but would be presented together.

Reed noted that the Zone change would be covered first. The request was to change from RA-20 to R-1. He reported that Glen & Linda Webb (applicants) would like to divide the property into smaller parcels. The only zone that was available for them was the R-1 for contiguous. The property was surrounded primarily by A-20 with R-1 adjacent on the North. The subdivision would have access from frontage on Midvalley Road on the South side with a width dedication to 100'. He reported that there was a Central Iron County Water Conservancy District (CICWCD) line that ran along Midvalley Road, but they would not connect into it because the line was a high pressure line in that area and would require a very expensive pressure reducing system. CICWCD agreed to develop a new well for the lots and there would be a private water line easements within the property. Variation on water system and street lights.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the zone change and the minor subdivision

Michael Fletcher, a resident of Iron County, asked what type of sewer system would be used. Reed explained that it would be on septic. There was a sewer line on the East of the property but they were not within the required distance to connect to the sewer.

Michael Bleak declared the Public Hearing closed. Reed Erickson reviewed the Iron County Evaluation Considerations for Re-zoning. He reported that the Iron County Planning Commission reviewed and discussed the zone change and recommended approval by the Iron County Commission. Paul Cozzens made a motion to approve the zone change located near 3851 W Midvalley Road, Cedar City, UT (APN: D-602-3) from Rural Agriculture 20 (RA-20) to Residential 1 Acre (R-1), as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Reed Erickson reviewed the Iron County Standard Code 16.20.130 - Minor Subdivision. The Planning Commission discussed and reviewed the proposed Minor Subdivision and recommended approval by the Iron County Commission with findings and variations of no street lights and the required standard water connection recommendation from the CICWCD. Marilyn Wood made a motion to approve the "Sage Flat Minor Subdivision – 3 Lots" with findings and variations as presented by Reed Erickson and as recommended by the Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE – AGRICULTURE 20 (A-20) TO LIGHT INDUSTRIAL (LI)

Reed Erickson, Iron County Planner, explained this was a recent Road Dedication Subdivision approved at a prior Iron County Commission meeting of Silver Springs Road. It was located along Silver Hills Parkway, southwest of Iron Spring Road at approximately 5801 West, Cedar City, UT, approximately 200 acres within Sections 10 & 11, T36S, R12W, SLB&M, APN: E-179. The applicant, Frank Nichols, Fiddlers Canyon LLC, was interested in creating smaller lots within the 200 acres. Reed reported that access would be from Iron Springs Road and was surrounded primarily by A-20 with some R-5 and R-1 adjacent. There was no sewer available in the area and would be on septic. There was a CICWCD water line available to connect into in the Buena Vista Subdivision to the North. Paul Cozzens asked Reed if it was required by Iron County to have any detention ponds when land was being developed. Reed reported that the Planning Commission had provided detention ponds on a few of the last subdivisions. They had discussed doing retention as they have the capacity to hold more water and had a place for the water to go where detention ponds did not. With detention ponds you had

to rely on pumps to get the water out because it did not flow naturally. In the past, there was plenty of room for the water to flow in the rural areas. The historic natural flow of the water could be maintained through and leave property at same location. Now, as development was filling those areas there was no place for the water to go. He reported that the Planning Commission was reviewing drainage issues with applications.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed zone change. No public comments were offered. Michael Bleak declared the Public Hearing closed. Reed Erickson reviewed the Iron County Evaluation Considerations for Re-zoning. The Planning Commission discussed and reviewed the zone change from Agriculture 20 (A-20) to Light Industrial (LI) and recommended approval by the Iron County Commission. Paul Cozzens made a motion to approve the zone change Agriculture 20 (A-20) to Light Industrial (LI) located along Silver Hill Parkway, southwest of Iron Spring Road at approximately 5801 West, Cedar City, UT, approximately 200 acres within Sections 10 & 11, T36S, R12W, SLB&M, APN: E-179, as recommended by the Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE 2021-8, ADOPTING A PARTIAL VACATED AND AMENDED SUBDIVISION PLAT OF LOTS 47 & 50, HARMONY MOUNTAIN RANCH SUBDIVISION, PHASE 3

Reed Erickson, Iron County Planner, explained that this was the 3rd Amended Subdivision Plat in Harmony Mountain Ranch. The lots were located within Sections 29 & 32, T37S, R12W, SLB&M, APN: E-1900-47 & E-1900-50, in the Southeast corner of the property. Lots 47 & 50 were 20 acre lots and the request was to vacate and amend by combining them together into one lot. He reported that the Planning Commission recommended the partial amendment for approval by the Iron County Commission. Reed noted that the Public Hearing was required for an Ordinance Amendment to the Plat.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding Ordinance 2021-8. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Reed reported that all criteria was met for the Ordinance. Marilyn Wood made a motion to approve Ordinance 2021-8 Adopting a Partial Vacated and Amended Plat of Harmony Mountain Ranch Subdivision, Phase 3, APN: E-1900-47 & E-1900-50. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY ORDINANCE 2021-8

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING A PARTIAL VACATED AND AMENDED PLAT OF HARMONY MOUNTAIN RANCH SUBDIVISION, PHASE 3, AFFECTING LOTS 47 & 50; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Iron County has determined in accordance with Utah Code and the Iron County Land Management Code, that a petition has been filed with the Iron County to vacate and amend a part of the Harmony Mountain Ranch, Phase 3, subdivision plat – specifically to vacate and amend lots 47 & 50 by combining them together into one lot; and

Whereas, the proposed ordinance is designed to implement the objectives of the County ordinances regarding vacating and amending plats 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 vacate and amend the subject subdivision plat; and

Whereas, the Iron County Commission has held a duly noticed public hearing on the proposed partial vacation and amendment and after considering the public comments and the changes of the proposed plat amendment, 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. Amendment. Harmony Mountain Ranch Subdivision, Phase 3, (within Sections 29 & 32, T37S, R12W, SLB&M), Iron County, Utah, is hereby amended to vacate lots 47 & 50 and combine into one lot (Lot 47 Combined).

SECTION 2. Recording. The county commission hereby directs that said amended plat is stamped, marked or signed, indicating approval of such action by the county commission and that this amended plat is recorded in the office of the Iron County recorder.

SECTION 3. Effective Date. This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code §17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 9th day of August, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

ATTEST:


Jonathan T. Whittaker – Iron County Clerk

By: 
Michael Bleak - Chairman



VOTING:

Michael P. Bleak ___ Aye ___
Paul Cozzens ___ Aye ___
Marilyn Wood ___ Aye ___

PUBLIC COMMENTS

Rebecca Hoyt, resident of Cedar Valley Acres, was concerned that the roads in Cedar Valley Acres were not maintained by Iron County. She had lived there for 39 years and she and her husband had used their own funds to maintain their roads. It was a half mile drive from Midvalley Road to her home. Rebecca reported that in the last year, TNT Landscaping & Construction Company had been running a dump truck, a trailer with a Bobcat along their road 3 to 4 times a day, sometimes at a high speed, and was damaging the road. There was an alternate road (6000 West) but TNT chose to use the road that they had maintained. She stated that on Friday, a forth Sheriff Officer came to her home to report that they had a complaint that her husband was harassing TNT Landscaping and that if he did not stop they were going to arrest him for “playing in road.” She explained that on that day her husband was out in the road getting a rock out of his shoe. The driver from TNT slammed on his breaks and called the sheriff to report that he was harassing him and keeping him from doing his job. Mrs. Hoyt asked what she could do to protect her family when this construction company had no reason to drive by her house where it was a half mile out of their way to pavement. They have tried to ask them to stop speeding past their house, but TNT was having the sheriff called to her home. Michael Bleak suggested that she could speak to Sheriff Carpenter, who was present. She asked if there was anything that Cedar Valley Acres could do to have improvements made to the road. Michael Bleak noted that there was a process to follow and that she should reach out to Jon Whittaker, Iron County Clerk, and he would explain it to her. Marilyn Wood reported that there was a Road Assessment process that the neighbors could do to bring the roads up to county code. Jon noted that he would be glad to speak with her about it.

RATIFICATION OF LOCAL CONSENT PERMIT APPROVAL FOR RED ACRE FARM’S “FARM TO FORK” EVENT, TO BE HELD SEPTEMBER 4TH AT 2322 W 4375 NORTH, CEDAR CITY

Michael Bleak, Iron County Commission Chair, explained that this event would be serving alcohol and the Department of Alcoholic Beverage Control required a Local Consent Permit approved by Iron County before they would approve the event. The permit was reviewed and signed earlier and now had to be ratified. Mike reported that the Red Acre Farm’s “Farm to Fork” event had been held for several years. Reed Erickson stated that this would be a good time to remind Red Acre Farm that, under the Zoning Enforcement, Red Acre Farm was operating without a permit for the business. They needed a Conditional Land Use Permit and Red Acre Farm kept stating they would come in for one. This was required of any other business to make sure they were in compliance. Jon Whittaker noted that this had been an ongoing impasse with Red Acre Farm. Paul Cozzens made a motion to approve the ratification of the Local Consent Permit for Red Acre Farm’s “Farm to Fork” event to be held on September 4th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RESOLUTION 2021-5, A RESOLUTION TO AUTHORIZE THE FILING OF A CROSS APPEAL TO THE 2021 UTAH CENTRALLY ASSESSED PROPERTY TAX APPEAL TO THE UTAH STATE TAX COMMISSION

Jon Whittaker, Iron County Clerk, explained that certain companies, Railroads, certain mining operations, and others that did not fall under the local Assessors purview, were called Centrally Assessed, and were assessed at the state level. Many of those (railroads, airlines and communication) crossed county lines. Those companies would typically appeal their valuation as a Centrally Assessed Property, which placed the county in a situation to defend the valuation appeals.

Dan Jessen, Iron County Auditor, noted that the Centrally Assessed Process in Utah was extremely poor that would allow a company that was worth multi-millions claim they were worth much less than what was shown on paper. After the state assessed them then the county had to fight the appeals, which costs the county money. It was cheaper to hire lawyers to handle the appeals. If the companies won their appeals the difference had to be paid by county tax payers.

Dan reported that Iron County had hired Thomas W. Peters, Esquire to represent Iron County on the cross-appeals. Utah Iron, formally Black Iron, was the one company that was located in Iron County and continued year to year to appeal their value. He explained that it was in the best interest of Iron County to file cross-appeals so that the county could fully participate in the proceedings initiated by the owners, with the purpose of protecting Iron County's financial interests and the equality of the tax burdens of taxpayers within its jurisdiction.

Marilyn Wood made a motion to approve Resolution 2021-5, to authorize the filing of a cross-appeal to the 2021 Utah Iron Centrally Assessed Property Tax Appeal to the Utah State Tax Commission, as presented. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-5

A RESOLUTION OF THE IRON COUNTY COMMISSION APPROVING THE FILING OF CROSS-APPEALS TO 2021 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 2021 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 9th day of August, 2021.

IRON COUNTY COMMISSION


Michael P. Bleak, Chairman

ATTEST:


Jonathan T. Whittaker County Clerk



Voting:

Michael P. Bleak _Aye_
Paul Cozzens _Aye_
Marilyn Wood _Aye_

DISCUSSION OF RECOMMENDATION FROM THE IRON COUNTY ECONOMIC DEVELOPMENT ADVISORY COMMITTEE FOR THE UTAH RURAL COUNTY GRANT APPLICATION

Danny Stewart, Iron County Economic Development Director, explained that the State of Utah began the Rural County Grant Program last year. The Iron County Economic Development Advisory Committee was established, as required. The committee met and discussed projects for the Utah Rural County Grant Application. As a 3rd Class County, Iron County was required to come up with a 40% match on each request. Danny reported that the committee made recommendations for the grant money be distributed in the following ways: \$21K for a Software Analytic Program (used for Tourism/Economic Development with a match of \$14K; \$50K for an "Innovation Center" with a required match of at least \$20K; \$50K to go toward the Small Business Development Center with a match of \$20K; and \$79K requested for improvements to the downtown area of Cedar City, with a \$104K match. The total request for the Rural County Grant Application was \$200K (maximum request amount). Danny reported that the Iron County Economic Development Advisory Committee recommended approval by the Iron County Commission. He explained that this was Part A of the Rural County Grant Program. Part B was a Competitive Grant up to \$66K and would be available after November 1st to apply, and the committee was beginning to look into projects for that.

Paul Cozzens made a motion to approve the recommendations from the Iron County Economic Development Advisory Committee for the Utah Rural County Grant Application. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR), explained that with the departure of Michael Edwards, Iron County Deputy Attorney, there was a dilemma in filling the vacancy. She met with Chad Dotson, Iron County Attorney, and put together numbers to compare the pay scale between Iron County and other counties in Utah. The proposal was to request an increase in the Attorney pay scale. Chad Dotson explained that the current pay scale had been in place since 2009 with a small adjustment in 2017. The Deputy Attorney 4, in Iron County, required to be employed for 4 years and made \$71,760. In comparison, starting pay for an Attorney right out of Law School was paid \$65K in Washington County. Chad stated that he believed the new proposal was reasonable and within reason for competitive recruitment, retaining and specialized areas. He reported that the current budget could absorb the increase at this time and the new adjustments would be included in the 2022 Budget. Marilyn Wood made a motion to approve the Attorney pay scale adjustment as explained. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the promotion of Trajan Evans, from Deputy 2 to Deputy 3 in the Attorney Department, with corresponding pay, effective August 8th. Paul Cozzens made a motion to approve Trajan Evans for a promotion from Deputy 2 to Deputy 3 in the Attorney Department, with corresponding pay, effective August 8th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury explained that she had met with Bruce Anderson, Iron County Landfill Supervisor, regarding a new job description and pay adjustment of a Heavy Equipment Master Mechanic. Jennifer presented the commission with the proposed job description and pay adjustment. Marilyn Wood made a motion to approve the new job description and pay adjustment of a Heavy Equipment Master Mechanic in the Landfill Department. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury the promotion of Scott Carter, from Landfill Technician to Master Mechanic, with corresponding pay, effective August 8th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve Scott Carter for a promotion from a Landfill Technician to Master Mechanic, with corresponding pay, effective August 8th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye. Jennifer Bradbury presented Kurtis Cox for a pay rate adjustment according to the county Pay Scale, in the Landfill Department effective August 8th. He was inadvertently left off the list presented in a previous meeting. Marilyn Wood made a motion to approve a pay rate adjustment for Kurtis Cox in the Landfill Department effective August 8th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented promotions for Brandon Kennedy and Aron Powell from Deputy 1 to Deputy 2 in the Sheriff's Department, with corresponding pay, effective August 8th.

Paul Cozzens made a motion to approve the promotions of Brandon Kennedy and Aron Powell for a promotion from Deputy 1 to Deputy 2 in the Sheriff's Department, with corresponding pay, effective August 8th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

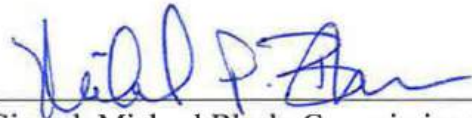
NON-DELEGATED ITEMS

No Non-delegated items presented.

Ruth Ellen Barlow, a citizen of Iron County, apologized for not getting up fast enough during the public comments. Ruth explained that she was taking a government class at Southern Utah University and she was required to do 3-minute presentation. The topic of her presentation was placing reflective markers on the road. She reported that it was hard to see lines on roads during rain and snow storms. Putting reflective beads in the paint would help a lot more than placing triangles. The reflective bead would be easier to see the lines on the road and it would be a great improvement. Michael Bleak stated that it was nice to have citizens address the commission with a problem and even better to present a solution to the problem. She reported that there were in her family that had vision problems and don't want to drive at night. She also suggested that the places where stop signs were placed needed to be checked and cleared to lessen blind spots.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Commission Chair



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY SPECIAL COMMISSION MEETING
AUGUST 23, 2021**

Minutes of the Iron County Commission meeting convened at 10:00 a.m. August 23, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner

Also present:

Jonathan T. Whittaker	County Clerk
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SYNOPSIS

ADJOURNMENT	2
INVOCATION	1
PLEDGE OF ALLEGIANCE.....	1
VACATION OF UNUSED ROAD SEGMENTS IN SUMMIT	1

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Paul Cozzens.

INVOCATION

An invocation was offered by Michael Bleak.

**PUBLIC HEARING & DISCUSSION REGARDING THE POSSIBLE VACATION OF
UNUSED ROAD SEGMENTS IN SUMMIT, UTAH**

Michael Bleak, Iron County Commission Chair, explained that the unused road segments in Summit had come before the commission a couple of times in the past. After conducting an investigation, it was proposed that the best way to accommodate all parties concerned was to hold a special meeting after work hours so that everyone concerned could attend.

Jonathan Whittaker, Iron County Clerk, expressed his appreciation to William Rafti for bringing this issue before the Iron County Commission beginning in 2015. Jon explained that a plat of Summit Township was made in 1869 and recorded in 1882. On the west side of the map 100 West Stree was labeled "Closed Road." Mr. Rafti had previously requested that part of the remaining closed road on 100 West be conveyed to him. Robert Dalley, former Cadastral Mapper, made a plat in the early 1980's which also denoted the closed roads. After Mr. Rafti brought the issue before the commission the question was whether it was a road and if it was a road how to dispose of it. There were very strict rules on how to dispose of property by municipalities. If it were considered a "road" the only option would be to vacate it according to the law that changed in 2002. Ultimately, the Iron County Attorney declared that they were, in fact, roads and if they were to be disposed of it would be done by the road vacation process. Jon reported that in the past 2 of the closed roads were deeded. He noted that he had found 11 possible road segments that might be areas of vacating. Jon presented each segment and reported that after visiting with the local engineers and title companies it was determined that the segments outside of the townsite should not be considered because they were not part of the townsite. There were only a few that he would suggest the commissioners consider for vacation. The first was the segment requested by Mr. Rafti, the second would affect Paul Stevens, the third would affect Craig Johnson and Jack Noble. The last road located on 1st East had a gate and was

not being used and could be left as is, or it could be vacated. The road behind the gate did not lead to anywhere and there was a fence along the back. The other road would be split with Jack Noble and himself. Jon noted that the vacating of road would benefit everyone but Mr. Noble and he would lose half of what he was now occupying.

Craig Johnson, resident of Summit, reported that he had lived in Summit since 1999. The road on 1st East, with the gate, had never been used. If it were vacated, he would clean it up which would be a benefit to himself.

Jack Noble, a resident of Summit, explained that his grandson bought his property in September. He had lived on the property for 19 years, and had occupied the unused road segment. Jack reported that he had spoken with David Yardley, former Iron County Clerk, and was given permission to use the property in question but could not build on it. He was using the property for his horses and horse trailers.

William Rafti, a resident of Summit, asked why there was a yellow line by 100 S and 100 West. If that were vacated it would benefit Mr. Hammond by giving him access to his property as he is now landlocked. It would be divided in half between Mr. Hammond and Mr. Bowler. According to the Geographic Information Systems (GIS) map one of the property lines (by Lyle Austin) had been moved twice from the original spot.

Jon Whittaker explained that he did not include 100 South on his list was because it was being used as a public ravine for water. Brian Hammond did have access off of 100 South to the property. Regarding the property line being moved, he explained to Mr. Rafti that ownership plats were the basis for the (Geographical Information System) GIS. Iron County had contracted for the maintenance of the GIS parcel layer which was based on the ownership, or plats or cadastral maps. The confusion was made because of the closed roads. The Cadastral map, a map that was developed from survey plans and captured a graphic representation of property boundaries, was the legal map to go by not the GIS. William Rafti stated that he did not agree with Jon regarding the access to the Brian Hammonds property. He stated that he was tired of coming in. He had been in 5 different times and had been sent to the County Engineer, Steve Platt (former), who told him exactly what to do and drew on his blueprint. When the former commissioners met with Mr. Platt he told them that he had never told him what to do. With a new commission and County Engineer, he thought there would be some "brains" now to work with him. Bill stated that he was tired of being told "I don't know if it was a road." The map says it is a closed "road" not closed "farmland." It's a road! Now he heard about a law that was changed, but no one could explain why the land adjacent to his was allowed to build a house on a road. He should have a corner piece of property, but he didn't. Every time he had come to the commissioners he just got "smoke blown up his nose" and was tired of it! When a decision was made someone had to get the abandoned vehicles and junk off the property so he didn't have to look at it anymore.

Jon Whittaker explained to Mr. Rafti that in 2002 the law changed that no longer allowed municipalities to deed property away, which was what happened to the land owned by Mr. Austin and Mr. Bowler. Iron County was constrained on how to handle this. The only option they had was to do nothing or to vacate the road. He noted that it had taken a while to get the Iron County Attorney to verify that the "closed road" was identified as a road. No course of action could be taken until that verification was completed. Jon stated that it was not in Iron County's best interest to decide how much, or how little, Mr. Rafti might obtain, but trying to decide what was the best legal course of action to take in terms of the roads that had not been used since being platted in 1869.

Michael Bleak noted that the meeting was not a regular agenda item therefore no action was required. It would be added to the next Iron County Commission meeting agenda.

Jon Whittaker asked how he was to list the road vacations on the agenda. Paul Cozzens asked if the road on 100 South going west if there was a chance that it would ever be developed? His preference was to have it cleaned up unless the road would need to be used down the road. Jon expressed that 100 South should not be vacated, but that it could be. He explained that the conversation regarding the closed roads began with Mr. Rafti, then morphed into what to do with

the other closed roads, and now the question became what to do with the other closed roads that were occupied but not owned by Mr. Nobel, Mr. Stevens and Mr. Johnson.

It was asked if the roads were vacated would the owner have to pay taxes on that piece of property? Jon noted that vacated roads becomes a part of the adjacent parcel. Marilyn Wood noted that it would just merge together as one parcel. Jon would check on it to make sure.

Johnnie Noble, a resident of Summit, reported that they had been using and maintaining road segment they had been occupying for 19 years. There was a garden shed, trailers, and a garden on the property. The split would be between him and Craig Johnson. They would have to meet and discuss what would be the best solution. Craig Johnson expressed that he was willing to meet with Johnnie and work it out.

Scott Munson, a resident of Summit, asked if there had been any contact with the adjacent property owners that own to where the roads now lead. If he owned the property, he would want to know how it was going to affect the property. Jon reported that he did not contact those property owners but he would make contact them.

Paul Cozzens noted that the only clear choice at this time was to approve the request from Mr. Rafti and hold off on the others until more research and discussion could be done involving the other home owner it may affect.

Most of those in attendance wanted the "junk yard" taken care of.

Jon Whittaker was asked to explain the property that Mr. Rafti was interested in. Jon explained that in 1945 one of the roads on the property was deeded to Mr. Matheson, and had always been private property since. Because the closed was on the plat since 1969 it had been owned by Iron County by virtue of recording of the Summit Townsite Plat in 1882. If the commissioners were to take action, those properties would be divided, along the centerline and become part of the adjacent parcels.

Mary Rafti, a resident of Summit, described where their property lines were and asked who was the owner of another parcel. Jon detailed the property lines. The road would be divided to those that own property adjacent to the road. Paul Cozzens noted that no vacating would be done if it resulted in someone being landlocked.


Scott Munson was concerned of future building in Summit and if Iron County would create a blueprint for future development. It's easier to plan earlier than later.


Jon expressed his appreciation for the Commissioners attending after they had a long day. In three weeks the issue could possibly be on the Iron County Commission meeting agenda for action to be addressed. He also expressed his appreciation for all the comments and for everyone's attendance.

Michael Bleak noted that the meeting was very helpful and thanked everyone who was in attendance. Paul Cozzens also expressed that the meeting help clear up and explain the issue.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael P. Bleak, Chair


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
AUGUST 9, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. August 9, 2021
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Sam Woodall	County Deputy Attorney
Karsten Reed	County Assessor
Chad Dotson	County Attorney
Dan Jessen	County Auditor
Stephanie Furnival	County Children’s Justice Center
Danny Stewart	County Economic Development
Richard Wilson	County Engineer
Jennifer Bradbury	County HR Director
Reed Erickson	County Planner
Carri Jeffries	County Recorder
Dennis Johnson	County TV Specialist
Brionna Garrett	County Victim Advocate

SYNOPSIS

ADJOURNMENT 12

APPROVAL OF CLAIMS FOR PAYMENT2

APPROVAL OF MINUTES2

DEPARTMENTAL REPORTS.....2

INVOCATION2

NON-DELEGATED ITEMS..... 11

ORDINANCE 2021-8 REGARDING APN: E-1900-47 & E-1900-506

PERSONNEL 11

PLEDGE OF ALLEGIANCE.....2

PUBLIC COMMENTS8

PUBLIC HEARING REGARDING APN: D-602-3 (ZONE CHANGE RA-20 TO R-1).....5

PUBLIC HEARING REGARDING APN: E-179 (ZONE CHANGE A-20 TO LI)5

RATIFICATION OF LOCAL CONSENT PERMIT FOR RED ACRE FARMS.....8

RESOLUTION 2021-5, AUTHORIZE FILING OF A CROSS APPEAL8

UTAH RURAL COUNTY GRANT APPLICATION..... 10

INVOCATION

An invocation was offered by Karsten Reed.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance given by Brionna Garrett.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held July 12, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM JULY 12, 2021 TO JULY 25, 2021.

Marilyn Wood made a motion to approve claims for payment for July 26th through August 8th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Karsten Reed, Iron County Assessor, gave a presentation regarding a successful office. Karsten highlighted 5 areas of emphasis the Assessor's Office was striving for: responsibilities, standards, staffing, report card, and conclusions. He discussed experience and technology. Exilda Serrano was the longest tenured appraiser with over 10 years' experience, then Teresa Caldwell with 7 years. All other employees have been with the office less than 3 years. Because of the relative inexperience, a great deal of training would be required. The average cost of training an appraiser was \$60K. The process of licensure requires multiple years of effort, experience, training and testing. Karsten noted that the Assessor's Office was in the process of updating their Computer Assisted Mass Appraisal (CAMA) system to a system called Puma, which might save Iron County the expense of the original system. He discussed how Assessor's Office staff might be proactive versus reactive regarding changes in the Real Estate market by understanding supply and demand as well as interest rates. Karsten noted that Utah Code mandates that each parcel be reappraised every 5 years. Permit loads vary from year to year and must be adjusted to. In 2020, a total of 1,500 building permits were submitted, with roughly that amount already being submitted in 2021, putting this year on a much higher pace of construction, and putting a great deal of pressure on the Assessor's Office. Much of the work, though assisted by technology, is "boots on the ground," work, done by individuals. Appraisals are to be based on "Fair Market Value," or the price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having a reasonable knowledge of the facts (UCA 59-2-102 (13) (a)). Karsten then discussed the Assessor's Office duties of real property discovery and valuation, Board of Equalization (BOE), state appeals, and court cases. There were 51,733 total parcels in Iron County at that time. Iron County is unique in that so many parcels are vacant non-agricultural land at 43%, with roughly half being all other types. Fortunately, with the high percentage of non-primary parcels, the time consuming and difficult commercial properties are relatively fewer in Iron County. He noted that Iron County has a relatively high number of parcels per appraiser among counties in Utah. This disparity was particularly stark among larger counties and adds to appraiser workloads. Karsten noted that the International Association of Assessing Officers (IAAO) recommends that Iron County have 12 appraisers, based on parcels per appraiser, and the Utah State Tax Commission recommends 9. He noted that Iron County currently had 3 appraisers. Karsten did express that, in spite of the shortfall of appraisers, the Assessor's Office was comfortable with its workload. His staff were all diligent and hard working. Karsten expressed that his office was running efficiently and that the citizens of Iron County were getting a good value for their tax payer dollars in that regard. He expressed that such was true throughout the courthouse. Karsten discussed challenges regarding Personal Property. He noted that the above mentioned Puma was likely to help with managing personal property. While unpopular, Personal Property is an important tool that brings in nearly 30% of revenues and would otherwise have to be shifted to real property owners if

eliminated. He noted that Teresa Caldwell is responsible for Personal Property and does a very good job. Karsten discussed Farmland Assessment or Greenbelt. He noted that Bradden Beaumont was responsible for Greenbelt. Iron County was home to many farmers and ranchers, and managing the applications, approvals, classifications, valuations, and rollbacks of Greenbelt was an enormous responsibility. Karsten noted that to evaluate an Assessor's Office, the Utah State Tax Commission performs an "Assessment Sales Ratio Study." In Utah, "Real Property Transfer Survey's" are sent to buyers and sellers of real property to help determine sales prices and trends. Utah is a non-disclosure state, which means said surveys are optional to complete and return. Another valuable source of information is the "Multiple Listing Services," used by real estate professionals. The objective of Assessor's Offices is to be within 90% to 110% of Fair Market Value, based on the above mentioned Assessment Sales Ratio Study. Karsten noted that the supply of appraisers is very limited. The challenge of becoming a licensed appraiser, plus demand in the private market has caused there to be an acute shortage of appraisers in county government.

Chad Dotson, Iron County Attorney, reported that the budget was on track. The office was down an Attorney with Mike Edwards leaving. The court was able to hold their first in-person trial since COVID restrictions began. They were able to get a conviction on a drug felony case. Chad reported that the remodel of Walmart had brought in outside people to do the remodel. A lot of the workers were living in Motel 6 and there had been an increase of calls of violence from there. There had been a shooting/attempted murder in the parking lot of Motel 6. There had been 2 aggravated assault calls, 1 domestic violence, and the attempted murder, all employees from the Walmart remodel. He stated that Walmart needed to do a better background check on their workers. Chad reported that there had been 822 cases processed in the Justice and District Courts this year (not including Juvenile Court). The Opioid litigation was moving slowly. He continued to receive updates from the law firm representing Iron County. Negotiation settlements continued but there was no progress. Chad reported that it was difficult to recruit newly graduated attorneys because of the low starting pay in Iron County. He noted that he would address the issue later on the agenda. Chad expressed his appreciation for all the involvement of the commissioners with the Enoch flooding.

Stephanie Furnival, Iron County Children's Justice Center (CJC) Director, Stats for Iron, Kane, Beaver and Garfield County. Interviews numbers were of children who came into CJC to receive services. Stephanie explained that no one was forced to have a medical exam, but it was offered. Safe and Healthy Family Services from Primary Children's Hospital perform the medical exams. Stephanie reported that they do not have a contracted Mental Health Therapist for Beaver and Garfield Counties. There was funding for it, but they were having a difficult time finding a therapist because she was only allowed to pay them the Federal rate at \$80/hour vs \$120/hour as a private therapist. She was working with the Cambria Foundation (\$1M Grant that was awarded to the CJC's in the State of Utah) to help with TeleMental Health. Her goal was to have the Attorney General's Office Chapter hire a Mental Health Counselor that would work through TeleMental Health that could serve individual CJC's and eventually all CJC's. Stephanie noted that the Mental Health Therapists in Iron County were at capacity already. She noted that Beaver and Garfield Counties were offered services and the opportunity to work with the local therapist and Southwest Mental Health therapists. Stephanie explained that the CJC was on a different fiscal budget year than Iron County. The new fiscal year began July 1st. The CJC had been funded \$978,644 (Federal level funding) through a 2-year Victim of Crimes Act (VOCA) Grant. The VOCA Grant funding paid for a part of her salary and all of the mental health therapists. There was a slight increase of the State funding which helped general programs, utilities, most of her salary and victim advocates. She recently applied for the Omaha-VidaNyx Grant (2 year) in the amount of \$21,140 for Cloud storage of victim interviews. The VidaNyx system would provide security for trust given, instant access, and protection of evidence. Only CJC provide transcript in state of Utah. Very detailed and specific. VidaNyx would transcribe the interview. Currently it cost \$500 for a Spanish transcription. VidaNyx would also offer that. The fundraising Golf tournament was upcoming on September 10th.

Brionna Garrett, Iron County Victim Advocate Coordinator, reported on the statistics from July 2020 to June 2021: There had been 830 victims served-124 adult physical assault cases, 46 adult sexual assault cases, 91 child physical abuse cases, 165 child pornography/sexual abuse cases, 172 domestic violence cases, 53 stalking and harassment cases, and 17 homicide victims. The services were offered to the victims and their family and friends associated with the cases. The new VOCA grant was approved to just over \$384K spread into 2 years. The VOCA grant amount decreased this year and as a result she had to make cuts. Brionna reported that she would be looking for more Training Grants. Because of COVID-19 there had been a lot of in-house training but more was required to be where they should be. Goals for improvement: Officer relationships and doing more ride-alongs to get to know them better; Community Partner relationships and attending the coalition meetings. In June, they were able to attend a Mass Casualty Training in Boston. Michael Bleak explained that last week he responded to a suicide as a member of the Medical Examiner's Office. By the time he had arrived Jaden Thomas (Sheriff Office Victim Advocate) was already there and was able to get information in a manner that was easy on the family. He was there for the family and not in the roll of an officer. Michael expressed his appreciation to the Iron County Advocate's and said they were a great asset. Brionna explained that the VOCA Grant funds were limited to crimes/victims and could not respond to suicides but was working on getting them included. Michael commended her staff with the great service that they provide.

Marilyn Wood, Iron County Commissioner, reported that some members of her family were victims of the flooding in Enoch and it was heartbreaking to see what everyone affected was going through. A lot of ranchers were affected by flood waters by washing out roads and fences, etc. Marilyn reported that on Aug 3rd she attended an Aspen Workshop regarding the regeneration of the Brian Head Fire. The Aspen Trees don't burn like other trees. A lot of Pine trees burned and Aspen didn't which was a reason for the Aspen regeneration. She reported that part of the flooding in Kanarraville was due to ditches running over their banks. As a county we need to keep the ditches cleaned out to help with flood control. She asked that the citizens of Iron County be conscious of the ditches and allow the county to come in and keep them cleaned. She was also able to attend a dinner with Senator Chris Stewart and Senator Case from Hawaii. It was positive to talk with him. Members of the Piute Tribe visited the event and shared their history.

Paul Cozzens, Iron County Commissioner, reported that he operated a loader at the flooding in Enoch and it was heartbreaking to have to throw so many personal memories away. It was heartwarming to see the community pull together. Paul expressed his appreciation to Reed Erickson regarding his efforts on the Newcastle Fire Station. Iron County received \$200K from the Community Development Block Grant (CDBG) and Iron County would contribute \$100K. He reported that the Community Impact Board (CIB) approved a \$200K Grant and \$200K loan at 1%. The final approval would be in October.

Michael Bleak, Iron County Commissioner, reported that he had spent a lot of time with flood issues with Emergency Management (his commission assignment) and working out in Enoch. He noted that there would be an "after flood" action report at the next meeting. He also met with Representative Chris Stewart and Representative Thomas West of Ohio. On Saturday, he was able to spend time with Celeste Maloy, Legal Counsel for Congressman Stewart and she told him that Representative West said "I knew nothing regarding agriculture and wild horses, and the way Marilyn Wood described the issue to me, I get it and am in full support." Marilyn stated that his commitment was a big step for us.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM "RURAL AGRICULTURE 20 (RA-20) TO RESIDENTIAL 1 ACRE (R-1) AND PROPOSED MINOR SUBDIVISION "SAGE FLAT MINOR SUBDIVISION – 3 LOTS"

Reed Erickson, Iron County Planner, reported that the property was approximately 20.62 acres located near 3851 West Midvalley Road, Cedar City, UT, within the NE¼ NE¼ Section 18, T35S, R11W, SLB&M, APN: E-113-RD. Reed explained that the Zone Change and Minor Subdivision were separate items but would be presented together.

Reed noted that the Zone change would be covered first. The request was to change from RA-20 to R-1. He reported that Glen & Linda Webb (applicants) would like to divide the property into smaller parcels. The only zone that was available for them was the R-1 for contiguous. The property was surrounded primarily by A-20 with R-1 adjacent on the North. The subdivision would have access from frontage on Midvalley Road on the South side with a width dedication to 100'. He reported that there was a Central Iron County Water Conservancy District (CICWCD) line that ran along Midvalley Road, but they would not connect into it because the line was a high pressure line in that area and would require a very expensive pressure reducing system. CICWCD agreed to develop a new well for the lots and there would be a private water line easements within the property. Variation on water system and street lights.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the zone change and the minor subdivision

Michael Fletcher, a resident of Iron County, asked what type of sewer system would be used. Reed explained that it would be on septic. There was a sewer line on the East of the property but they were not within the required distance to connect to the sewer.

Michael Bleak declared the Public Hearing closed. Reed Erickson reviewed the Iron County Evaluation Considerations for Re-zoning. He reported that the Iron County Planning Commission reviewed and discussed the zone change and recommended approval by the Iron County Commission. Paul Cozzens made a motion to approve the zone change located near 3851 W Midvalley Road, Cedar City, UT (APN: D-602-3) from Rural Agriculture 20 (RA-20) to Residential 1 Acre (R-1), as recommended by the Iron County Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Reed Erickson reviewed the Iron County Standard Code 16.20.130 - Minor Subdivision. The Planning Commission discussed and reviewed the proposed Minor Subdivision and recommended approval by the Iron County Commission with findings and variations of no street lights and the required standard water connection recommendation from the CICWCD. Marilyn Wood made a motion to approve the "Sage Flat Minor Subdivision – 3 Lots" with findings and variations as presented by Reed Erickson and as recommended by the Iron County Planning Commission. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE – AGRICULTURE 20 (A-20) TO LIGHT INDUSTRIAL (LI)

Reed Erickson, Iron County Planner, explained this was a recent Road Dedication Subdivision approved at a prior Iron County Commission meeting of Silver Springs Road. It was located along Silver Hills Parkway, southwest of Iron Spring Road at approximately 5801 West, Cedar City, UT, approximately 200 acres within Sections 10 & 11, T36S, R12W, SLB&M, APN: E-179. The applicant, Frank Nichols, Fiddlers Canyon LLC, was interested in creating smaller lots within the 200 acres. Reed reported that access would be from Iron Springs Road and was surrounded primarily by A-20 with some R-5 and R-1 adjacent. There was no sewer available in the area and would be on septic. There was a CICWCD water line available to connect into in the Buena Vista Subdivision to the North. Paul Cozzens asked Reed if it was required by Iron County to have any detention ponds when land was being developed. Reed reported that the Planning Commission had provided detention ponds on a few of the last subdivisions. They had discussed doing retention as they have the capacity to hold more water and had a place for the water to go where detention ponds did not. With detention ponds you had

to rely on pumps to get the water out because it did not flow naturally. In the past, there was plenty of room for the water to flow in the rural areas. The historic natural flow of the water could be maintained through and leave property at same location. Now, as development was filling those areas there was no place for the water to go. He reported that the Planning Commission was reviewing drainage issues with applications.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed zone change. No public comments were offered. Michael Bleak declared the Public Hearing closed. Reed Erickson reviewed the Iron County Evaluation Considerations for Re-zoning. The Planning Commission discussed and reviewed the zone change from Agriculture 20 (A-20) to Light Industrial (LI) and recommended approval by the Iron County Commission. Paul Cozzens made a motion to approve the zone change Agriculture 20 (A-20) to Light Industrial (LI) located along Silver Hill Parkway, southwest of Iron Spring Road at approximately 5801 West, Cedar City, UT, approximately 200 acres within Sections 10 & 11, T36S, R12W, SLB&M, APN: E-179, as recommended by the Planning Commission. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

**PUBLIC HEARING, CONSIDERATION AND POSSIBLE APPROVAL OF
ORDINANCE 2021-8, ADOPTING A PARTIAL VACATED AND AMENDED
SUBDIVISION PLAT OF LOTS 47 & 50, HARMONY MOUNTAIN RANCH
SUBDIVISION, PHASE 3**

Reed Erickson, Iron County Planner, explained that this was the 3rd Amended Subdivision Plat in Harmony Mountain Ranch. The lots were located within Sections 29 & 32, T37S, R12W, SLB&M, APN: E-1900-47 & E-1900-50, in the Southeast corner of the property. Lots 47 & 50 were 20 acre lots and the request was to vacate and amend by combining them together into one lot. He reported that the Planning Commission recommended the partial amendment for approval by the Iron County Commission. Reed noted that the Public Hearing was required for an Ordinance Amendment to the Plat.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding Ordinance 2021-8. No Public Comments were offered. Michael Bleak declared the Public Hearing closed. Reed reported that all criteria was met for the Ordinance. Marilyn Wood made a motion to approve Ordinance 2021-8 Adopting a Partial Vacated and Amended Plat of Harmony Mountain Ranch Subdivision, Phase 3, APN: E-1900-47 & E-1900-50. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY ORDINANCE 2021-8

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING A PARTIAL VACATED AND AMENDED PLAT OF HARMONY MOUNTAIN RANCH SUBDIVISION, PHASE 3, AFFECTING LOTS 47 & 50; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Iron County has determined in accordance with Utah Code and the Iron County Land Management Code, that a petition has been filed with the Iron County to vacate and amend a part of the Harmony Mountain Ranch, Phase 3, subdivision plat – specifically to vacate and amend lots 47 & 50 by combining them together into one lot; and

Whereas, the proposed ordinance is designed to implement the objectives of the County ordinances regarding vacating and amending plats 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 vacate and amend the subject subdivision plat; and

Whereas, the Iron County Commission has held a duly noticed public hearing on the proposed partial vacation and amendment and after considering the public comments and the changes of the proposed plat amendment, 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. Amendment. Harmony Mountain Ranch Subdivision, Phase 3, (within Sections 29 & 32, T37S, R12W, SLB&M), Iron County, Utah, is hereby amended to vacate lots 47 & 50 and combine into one lot (Lot 47 Combined).

SECTION 2. Recording. The county commission hereby directs that said amended plat is stamped, marked or signed, indicating approval of such action by the county commission and that this amended plat is recorded in the office of the Iron County recorder.

SECTION 3. Effective Date. This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code §17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 9th day of August, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

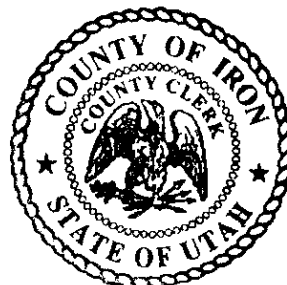
ATTEST:


Jonathan T. Whittaker – Iron County Clerk

By: 
Michael Bleak - Chairman

VOTING:

Michael P. Bleak ___ Aye ___
Paul Cozzens ___ Aye ___
Marilyn Wood ___ Aye ___



PUBLIC COMMENTS

Rebecca Hoyt, resident of Cedar Valley Acres, was concerned that the roads in Cedar Valley Acres were not maintained by Iron County. She had lived there for 39 years and she and her husband had used their own funds to maintain their roads. It was a half mile drive from Midvalley Road to her home. Rebecca reported that in the last year, TNT Landscaping & Construction Company had been running a dump truck, a trailer with a Bobcat along their road 3 to 4 times a day, sometimes at a high speed, and was damaging the road. There was an alternate road (6000 West) but TNT chose to use the road that they had maintained. She stated that on Friday, a forth Sheriff Officer came to her home to report that they had a complaint that her husband was harassing TNT Landscaping and that if he did not stop they were going to arrest him for "playing in road." She explained that on that day her husband was out in the road getting a rock out of his shoe. The driver from TNT slammed on his breaks and called the sheriff to report that he was harassing him and keeping him from doing his job. Mrs. Hoyt asked what she could do to protect her family when this construction company had no reason to drive by her house where it was a half mile out of their way to pavement. They have tried to ask them to stop speeding past their house, but TNT was having the sheriff called to her home. Michael Bleak suggested that she could speak to Sheriff Carpenter, who was present. She asked if there was anything that Cedar Valley Acres could do to have improvements made to the road. Michael Bleak noted that there was a process to follow and that she should reach out to Jon Whittaker, Iron County Clerk, and he would explain it to her. Marilyn Wood reported that there was a Road Assessment process that the neighbors could do to bring the roads up to county code. Jon noted that he would be glad to speak with her about it.

RATIFICATION OF LOCAL CONSENT PERMIT APPROVAL FOR RED ACRE FARM'S "FARM TO FORK" EVENT, TO BE HELD SEPTEMBER 4TH AT 2322 W 4375 NORTH, CEDAR CITY

Michael Bleak, Iron County Commission Chair, explained that this event would be serving alcohol and the Department of Alcoholic Beverage Control required a Local Consent Permit approved by Iron County before they would approve the event. The permit was reviewed and signed earlier and now had to be ratified. Mike reported that the Red Acre Farm's "Farm to Fork" event had been held for several years. Reed Erickson stated that this would be a good time to remind Red Acre Farm that, under the Zoning Enforcement, Red Acre Farm was operating without a permit for the business. They needed a Conditional Land Use Permit and Red Acre Farm kept stating they would come in for one. This was required of any other business to make sure they were in compliance. Jon Whittaker noted that this had been an ongoing impasse with Red Acre Farm. Paul Cozzens made a motion to approve the ratification of the Local Consent Permit for Red Acre Farm's "Farm to Fork" event to be held on September 4th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RESOLUTION 2021-5, A RESOLUTION TO AUTHORIZE THE FILING OF A CROSS APPEAL TO THE 2021 UTAH CENTRALLY ASSESSED PROPERTY TAX APPEAL TO THE UTAH STATE TAX COMMISSION

Jon Whittaker, Iron County Clerk, explained that certain companies, Railroads, certain mining operations, and others that did not fall under the local Assessors purview, were called Centrally Assessed, and were assessed at the state level. Many of those (railroads, airlines and communication) crossed county lines. Those companies would typically appeal their valuation as a Centrally Assessed Property, which placed the county in a situation to defend the valuation appeals.

Dan Jessen, Iron County Auditor, noted that the Centrally Assessed Process in Utah was extremely poor that would allow a company that was worth multi-millions claim they were worth much less than what was shown on paper. After the state assessed them then the county had to fight the appeals, which costs the county money. It was cheaper to hire lawyers to handle the appeals. If the companies won their appeals the difference had to be paid by county tax payers.

Dan reported that Iron County had hired Thomas W. Peters, Esquire to represent Iron County on the cross-appeals. Utah Iron, formally Black Iron, was the one company that was located in Iron County and continued year to year to appeal their value. He explained that it was in the best interest of Iron County to file cross-appeals so that the county could fully participate in the proceedings initiated by the owners, with the purpose of protecting Iron County's financial interests and the equality of the tax burdens of taxpayers within its jurisdiction.

Marilyn Wood made a motion to approve Resolution 2021-5, to authorize the filing of a cross-appeal to the 2021 Utah Iron Centrally Assessed Property Tax Appeal to the Utah State Tax Commission, as presented. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-5

A RESOLUTION OF THE IRON COUNTY COMMISSION APPROVING THE FILING OF CROSS-APPEALS TO 2021 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 2021 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 9th day of August, 2021.

IRON COUNTY COMMISSION

Michael P. Bleak, Chairman

ATTEST:

Jonathan T. Whittaker County Clerk

Voting:

Michael P. Bleak _ Aye _
Paul Cozzens _ Aye _
Marilyn Wood _ Aye _

DISCUSSION OF RECOMMENDATION FROM THE IRON COUNTY ECONOMIC DEVELOPMENT ADVISORY COMMITTEE FOR THE UTAH RURAL COUNTY GRANT APPLICATION

Danny Stewart, Iron County Economic Development Director, explained that the State of Utah began the Rural County Grant Program last year. The Iron County Economic Development Advisory Committee was established, as required. The committee met and discussed projects for the Utah Rural County Grant Application. As a 3rd Class County, Iron County was required to come up with a 40% match on each request. Danny reported that the committee made recommendations for the grant money be distributed in the following ways: \$21K for a Software Analytic Program (used for Tourism/Economic Development with a match of \$14K; \$50K for an "Innovation Center" with a required match of at least \$20K; \$50K to go toward the Small Business Development Center with a match of \$20K; and \$79K requested for improvements to the downtown area of Cedar City, with a \$104K match. The total request for the Rural County Grant Application was \$200K (maximum request amount). Danny reported that the Iron County Economic Development Advisory Committee recommended approval by the Iron County Commission. He explained that this was Part A of the Rural County Grant Program. Part B was a Competitive Grant up to \$66K and would be available after November 1st to apply, and the committee was beginning to look into projects for that.

Paul Cozzens made a motion to approve the recommendations from the Iron County Economic Development Advisory Committee for the Utah Rural County Grant Application. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR), explained that with the departure of Michael Edwards, Iron County Deputy Attorney, there was a dilemma in filling the vacancy. She met with Chad Dotson, Iron County Attorney, and put together numbers to compare the pay scale between Iron County and other counties in Utah. The proposal was to request an increase in the Attorney pay scale. Chad Dotson explained that the current pay scale had been in place since 2009 with a small adjustment in 2017. The Deputy Attorney 4, in Iron County, required to be employed for 4 years and made \$71,760. In comparison, starting pay for an Attorney right out of Law School was paid \$65K in Washington County. Chad stated that he believed the new proposal was reasonable and within reason for competitive recruitment, retaining and specialized areas. He reported that the current budget could absorb the increase at this time and the new adjustments would be included in the 2022 Budget. Marilyn Wood made a motion to approve the Attorney pay scale adjustment as explained. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the promotion of Trajan Evans, from Deputy 2 to Deputy 3 in the Attorney Department, with corresponding pay, effective August 8th. Paul Cozzens made a motion to approve Trajan Evans for a promotion from Deputy 2 to Deputy 3 in the Attorney Department, with corresponding pay, effective August 8th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury explained that she had met with Bruce Anderson, Iron County Landfill Supervisor, regarding a new job description and pay adjustment of a Heavy Equipment Master Mechanic. Jennifer presented the commission with the proposed job description and pay adjustment. Marilyn Wood made a motion to approve the new job description and pay adjustment of a Heavy Equipment Master Mechanic in the Landfill Department. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury the promotion of Scott Carter, from Landfill Technician to Master Mechanic, with corresponding pay, effective August 8th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve Scott Carter for a promotion from a Landfill Technician to Master Mechanic, with corresponding pay, effective August 8th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye. Jennifer Bradbury presented Kurtis Cox for a pay rate adjustment according to the county Pay Scale, in the Landfill Department effective August 8th. He was inadvertently left off the list presented in a previous meeting. Marilyn Wood made a motion to approve a pay rate adjustment for Kurtis Cox in the Landfill Department effective August 8th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented promotions for Brandon Kennedy and Aron Powell from Deputy 1 to Deputy 2 in the Sheriff's Department, with corresponding pay, effective August 8th.

Paul Cozzens made a motion to approve the promotions of Brandon Kennedy and Aron Powell for a promotion from Deputy 1 to Deputy 2 in the Sheriff's Department, with corresponding pay, effective August 8th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

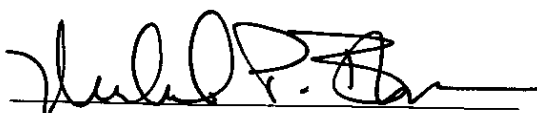
NON-DELEGATED ITEMS

No Non-delegated items presented.


Ruth Ellen Barlow, a citizen of Iron County, apologized for not getting up fast enough during the public comments. Ruth explained that she was taking a government class at Southern Utah University and she was required to do 3-minute presentation. The topic of her presentation was placing reflective markers on the road. She reported that it was hard to see lines on roads during rain and snow storms. Putting reflective beads in the paint would help a lot more than placing triangles. The reflective bead would be easier to see the lines on the road and it would be a great improvement. Michael Bleak stated that it was nice to have citizens address the commission with a problem and even better to present a solution to the problem. She reported that there were in her family that had vision problems and don't want to drive at night. She also suggested that the places where stop sign were placed needed to be checked and cleared to lessen blind spots.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Commission Chair



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
SEPTEMBER 13, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. September 13, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Sam Woodall	County Deputy Attorney
Karsten Reed	County Assessor
Dan Jessen	County Auditor
Shalon Shaver	County Corrections Commander
Richard Wilson	County Engineer
Reed Erickson	County Planner
Mike Worthen	County Resource Director
Kenneth Carpenter	County Sheriff
Maria Twitchell	County Tourism/Parks & Rec
Jennifer Bradbury	County HR Director

SYNOPSIS

ADJOURNMENT19

ARCHITECTURAL SERVICES REGARDING THE NEWCASTLE FIRE STATION.....12

APPROVAL OF CLAIMS FOR PAYMENT2

APPROVAL OF MINUTES2

BABCOCK DESIGN FEASIBILITY STUDY FOR A NEW IRON COUNTY JAIL8

CLOSED SESSION REGARDING PERSONAL PROPERTY REFUNDS FOR 2020.....19

CONTRACT FOR INDEPENDENT AUDIT FOR 2021-2023.....12

DEPARTMENTAL REPORTS.....2

INVOCATION2

IRON COUNTY DOG LAWS AND ENFORCEMENT.....9

IRON COUNTY SCHOOL BOARD INITIATIVE BOND PRESENTATION7

NON-DELEGATED ITEMS.....19

OCTOBERFEST LOCAL CONSENT PERMIT9

OHV TRAIL PROGRAM GRANT18

PERSONNEL18

PLEDGE OF ALLEGIANCE.....2

PUBLIC COMMENTS7

PUBLIC HEARING REGARDING APN: E-144-1	6
PUBLIC HEARING REGARDING APN: E-262.....	7
PUBLIC HEARING REGARDING SKI VIEW ESTATES UNIT A	5
RESOLUTION 2021-7, SEPTEMBER 21, 2021 A DAY OF GRATITUDE	14
RESOLUTION 2021-8, WAIVING CERTAIN BUILDING PERMIT FEES	15
ROAD DEDICATION OF 7700 WEST	13
SUU AVIATION REGARDING HELICOPTER PURCHASE.....	10
VEHICLE TRANSFER OF 2014 F-150	18

INVOCATION

An invocation was offered by Jon Whittaker.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meetings held on August 23, 2021 (9:00 A.M.) and August 23, 2021 – Special Commission Meeting (6:00 P.M.) Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Paul Cozzens made a motion to approve Claims for Payment from August 23, 2021 to September 12, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Kenneth Carpenter, Iron County Sheriff, reported on the Current Law Enforcement (LE) issues: The training had been changed from block training to incremental training, which had been very good and had led to improved and increased training hours over past years (8 hours monthly = 96 hours per year); The Mental Health Unit (MHU) Task force had had 47 cases since inception. The MHU had been able to develop a relationship with the families and patients, which had help them better cope with the situations. They had continued to work with the Southwest Health Department towards having a 23 hour MHU space to take patients to rather than jail. The department continued to work on any improvements; Child Abduction Response Team (CART) Task Force was able to complete their initial training and were now functional; Internet Crimes Against Children (ICAC) had assisted in a sting operation in Washington County that was very successful; Metro Special Weapons and Tactics (SWAT)-Search/Arrest Warrants, other high risk calls had been extremely busy over the past several months. Last event was in Garfield County where the team took down a trailer and arrested a homicide suspect from California; Drug Task Force had been very active. There had been a current increase of Fentanyl cases. The Wasatch Front had seen increases in Fentanyl and Heroin. It comes through the I-15 Corridor and it continued to be a problem. Marilyn Wood asked if the opening of the border resulted in a spike in drug smuggling. Sheriff Carpenter reported that smuggling had been ongoing for years and the ease on the border had made it easier, not only for drugs but for terrorist and criminals to come into the country. The Border Patrol was frustrated beyond words and getting out of control. Current Law Enforcement (LE) issues: Total Incident reported since January 1st was 4,960: Accidental gun shots-5, Assault with a Firearm-1, Aggravated Assaults-7, Air support-13, Agency Assists-213, Burglaries-22, Child Abuse/neglect-18, Felony Offenses-111, Fires-42, K9 Unit-160, MHU-30, Misdemeanor Offenses-679, Other offenses-1,061, Public Relations-12, Search and Rescue-16, Sex crimes against a child-10, Other sex crimes-18,

Welfare Checks-33, Drug cases-207, DUI's-33, and Animal problems (combined)-223. Sheriff Carpenter reported on the Current Strength of Patrol: Lieutenant Del Schlosser's retirement was last week and he still needed a replacement. He expressed his appreciation to Lt. Schlosser for all that he had contributed to the Department and Iron County. Currently there was one new Deputy (Skyler Davis) in the Field Training Officer program, Lauren Labrum and Jed Fackrell were preparing to attend Peace Officer Standards & Training (POST) program and one pending completion of a background investigation. The department would be down 2 deputies, but would be testing again on October 2nd. Future Ops and Concerns: Since the first of the year he had signed off on nine new or extensions to current subdivisions - most average 82-86 new single family homes, one was for 250 new single family homes. He reported that was a significant increase of new move-ins, increased calls for service volume for the Sheriff's Office. To keep pace with rapid growth in Iron County, he would be looking for a 4-6 deputy increase. Volney Morin, a citizen of Iron County, asked what percentage when budget. Sheriff Carpenter reported it was on December 31st. He reported that he was waiting for the results of the feasibility study from Babcock regarding the Jail facility. The Patrol budget was at 64.87% spent at the end of May, Jail budget was 59.74% spent and the Search and Rescue budget was at 61.81% spent.

Shalon Shaver, Iron County Corrections Commander, reported that the overall budget was on track at 59.74% spent with current revenue for 2021 received was \$697,762.31. In July they had begun reporting numbers to the Social Security Administration to receive a finder's fee. The Jail had been able to collect \$1,800 thus far. Jail reimbursement was currently at zero as a result of COVID. More of those in jail were getting credit for time served and released. Shalon reported that there had been some unexpected expenses due to the increase in the inmate population. The Iron County Jail currently had 174 inmates and full capacity was approximately 180. Because of COVID restrictions the court process was slow, which kept inmates in jail longer and as a result it had caused wear and tear on mattresses and property lockers (which had to be replaced). Sheriff Carpenter noted that the problem was they did not always accept warrants. Justice Court bring in warrant and rescinded and accept and staying. Quarantine for 14 days and Iron County had stayed at zero COVID cases. There was one cell block used that could hold 32 inmates for quarantine. If different own cell. Female no place in the facility to quarantine. Total bookings had increase from 282 for the 2nd Quarter to 322 for the 3rd quarter. Transportation had decreased due to the Attorney phone visits from booking (ATC). The work crew had been hard at work with 1,686 hours worked for the 3rd quarter compared to 603 for the 2nd quarter. There were certain criteria to be allowed to be on the work crew: non-violent crime, had their sentence, time served. They just completed over 564 hours for the Iron County Fair. Jonathan Whittaker reported that he had heard numerous times from Joyce Evans on what a great job they had done. There had been 2 resignations, the nurse position was filled, 2 Line workers hired and one long-term leave for active full-time military. Correction continued to have an open roster, but it was difficult to find qualified workers. She reported that they were at 84% overtime and she was very proud of keeping it down. The J-block door that was ordered had arrived but was bent beyond repair and sent back. The In-line grinder for the sewer had been purchased and they were accepting bids for installation. The medical department expansion was on hold and the fire alarm system that required an upgrade was completed. Shalon expressed her appreciation on behalf of her team for the salary adjustment. Everyone was so grateful. Marilyn Wood reported that she had received more texts and emails for appreciation of the wage increase from Correction worker and they all expressed how great Commander Shaver was to work with.

Dan Jessen, Iron County Auditor, reported that tax rates were finalized at end of June. Brian Head was the only municipality go through the Truth in Taxation process and had approved a tax rate increase for the municipal levee. Brian Head had done a great job keeping the public informed. One concern from Brian Head was overnight rentals that had significantly increased. The final date to apply to appeal your tax valuation to the Board of Equalization (BOE) would be on September 15th. The Auditor's had posted several times on the internet regarding flood damage. When it came to valuation and appeals it was determined reflective of the status of the property on January 1st. There was an exception in Utah Code that states if there was an Act of God or a natural event, which our event was, they could appeal for a prorated tax

rate through the BOE. Unfortunately, it could not be done across the board but had to be requested individually. Dan reported that he had created a new grant process within the county. He held a training last week and had invited all the Department Heads and any staff members who assisted in the spending of grant funding to attend. He had done an overhaul of the grant program and activated a Project Management Software that was integrated into their Financial Software to track grants. Dan outlined the new **Iron County Grant Requirements:**

1. Grant Application

- A. Coordinate with your Commission Liaison,
- B. DO NOT legally or financially commit Iron County until the Commission approval;

2. Grant Information – give the information to the Auditor’s Office before Commission approval was sought;

3. Grant Approval – Must be on the Commission Meeting Agenda, be approved and signed by the Commissioners;

4. Grant Budget – the budget must be officially appropriated before any money was spent.

Needed information:

1. Granting Entity information

- A. Grant name and description,
- B. Federal, State, Local or Private,
- C. Grant ID (if available), if source was Federal Community for Federal Domestic Assistance (CFDA) was required *This is the case for many State Grants that were Federally Originated;

2. Grant Details

- A. Start date & End date,
- B. Project narrative, contact information,
- C. Any other relevant information;

3. Grant Funding Structure

- A. Reimbursement type (upfront, reimbursement, other),
- B. Granting Entity cash funding,
- C. County cash match amount,
- D. County In-kind match amount;

4. Grant Account Detail

- A. Each type of Revenue/Expense needs a grant account set up,
- B. Structure will match Grant reporting structure, not County General Ledger (GL) structure,
- C. When the Revenues/Expenses are expected to occur is critical in order for the Auditor’s Office to set correct Count budget for inflows/outflows,
- D. Grant Revenues and Expenses must balance (including County matching funds).

Dan asked that the Commissioners help with enforcement of the new grant program. There would be a learning curve and would be good for Iron County. He reported that the 2022 Budget process would begin and worksheets would be sent out to Department Heads for them to put together their department budget. His office was always open for any discussions or questions. Wade Adams would be the new Fleet Manager for Iron County. The cars were on order and the workload for Wade Adams was going to increase.

Paul Cozzens, Iron County Commissioner, reported he had been very busy working on flood channels and the project was almost complete. The county had rented an excavator from Phil Schmidt to help increase the work load. He noted that Dan Jessen could handle an excavator very well. Bruce Anderson, Iron County Landfill Supervisor, was there every morning to make sure the machines were serviced and ready for work. There had been 158 hours put on the excavator that was rented from Phil Schmidt at \$100/hour, which was a great rate. Paul reported that he had some employees concerned with security at the Visitor Center regarding homeless people camping in the rear of the building. Mike Bleak explained that the area was patrolled

several times especially during the winter. Law Enforcement would cite them and assist them out of the area, then more would just take their place. Marilyn Wood asked if fencing would help keep them out. She noted that the women working in the Extension Office were afraid and it caused a bad work environment. Paul asked Nate Dennett, if he would contact Lester Ross and inform him that the weeds at the Beryl Community Center were out of control.

Marilyn Wood, Iron County Commissioner, expressed her thanks to everyone who helped with the cleaning of ditches and that those individuals had gone above and beyond the call of duty. She expressed her appreciation to Joyce Evans and the entire Iron County Fair staff, who put on a fantastic fair. She was able to attend all the Grandstand events except the Sunday night program. She also attended the Southwest Junior Livestock show. There were more animals in the show than usual. The community really stepped up to support the kids. Most of the money from the sale of their animals was put away for their college funds. One pig was auctioned off and turned back to auction off again many times. The last amount that she was aware of was \$28K raised for the Chad Reid Scholarship fund. On September 7th, Governor Cox came to Southern Utah University (SUU) and looked at the Iron County aquifer recharge projects. SUU was conducting a test study on sprinkler heads and Governor Cox inspected that project. After the visit at SUU he went to Cedar Breaks for the ground breaking of a new visitor center. Marilyn reported that on Sep 25th, Public Lands Day, there would be a ceremony at 9:00 at Three Peaks Recreation area. The Bureau of Land Management would turn over the deed to the Three Peaks Recreation land to Iron County. This was a project that former Commissioner Lois Bulloch worked on while she was in office. Marilyn enjoyed the Iron County Labor Day Parade in Parowan with the other Elected Officials.

Michael Bleak, Iron County Commissioner, reported that he had worked closely with George Colson, Emergency Manager, who had been working very close with the State Emergency Management and the Federal Emergency Management Agency (FEMA) trying to coordinate paperwork from recent monsoonal flooding in Iron County. Michael had been coordinating flood mitigation projects with property owners in Kanarrville. Unfortunately, there had been an increase in mental health issues as a result of flooding experiences. Stephanie Ward, CJC Director, had been working with a private counselor, Cindy Jones, who had assisted Law Enforcement when needed. Stephanie and Cindy were working together to provide group therapy meetings to help develop coping skills. Michael expressed his appreciation to SUU for donating two large flags for the livestock show. He reported that there was record attendance at all at the Grandstand Events at the Iron County Fair. The fair committee would start immediately to find solutions to overcrowding. Marilyn Wood noted that there needed to be more seating available for the grandstand events. Iron County, along with SUU, provided a Leadership Academy Program. He and Dan Jessen attended the inaugural class and was looking forward to completing the course. He had been working on a regional hub for an "Inland Port" project. Greg Hughes, lobbyist for the project, came down last week and met with Danny Stewart, Iron County Economic Development Director, to collaborate with and work on the regional hub together. Danny had worked diligently to attract the Inland Port.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED PARTIAL VACATE AND PLAT AMENDMENT (COMBINING LOTS 14 & 15, BLOCK B, SKI VIEW ESTATES, UNIT A (SECTION 34, T35W, R9W, SLB&M, IRON COUNTY) AND TO VACATE A 10' WALKWAY/EASEMENT BETWEEN LOTS 13 & 14 OF THE SAME BLOCK B, IN SKI VIEW ESTATES, UNIT A SUBDIVISION AMENDED

Reed Erickson, Iron County Planner, explained this was a two-step process presented on one agenda item. The property was located in Brian Head in Ski View Estates. There had been many lots vacated in the past. The owner would like to combine Lots 14 & 15, Block B because they were too small to build on. The owner of the property owned all three lots but was going to sell two of them. A 10 foot easement between Lots 13 & 14 would be combined into the combined lots. The plat had been reviewed by the engineer and posted. When there was an

easement/walkway to be vacated it was required to be post notices on the adjacent property and advertised for 3 weeks.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding the proposed partial vacate and plat amendment. No Public Comments were offered. Michael declared the Public Hearing closed. Reed Erickson noted that the Iron County Planning Commission had determined that the applicable ordinances and new policies regarding vacating had been complied with and that good cause existed for recommendation before the Iron County Commission.

Marilyn Wood made a motion to approve the proposed partial vacate and plat amendment and (combining Lots 14 & 15, Block B, Ski View Estates, Unit A Section 34, T35W, R9W, SLB&M Iron County) and to vacate a 10' walkway/easement between Lots 13 & 14 of the same Block B, Ski View Estates Unit A subdivision amended. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM INDUSTRIAL (I) TO RESIDENTIAL 5 ACRE (R-5); AND A PROPOSED MINOR SUBDIVISION-“MONTGOMERY MINOR SUBDIVISION-3 LOTS” APPROXIMATELY 15 ACRES LOCATED AT 1975 N IRON SPRINGS ROAD, CEDAR CITY, UT WITHIN THE SE¼ SECTION 33 & SW¼ SECTION 34, T35S, R12W, SLB&M (APN: E-144-1)

Reed Erickson, Iron County Planner, explained that the property was located just off Iron Springs Road west of Cedar Valley at the edge of Industrial property. It was currently zoned Industrial and was surrounded by Residential 5 acre (R-5). The purpose for the zone change was the entire property was being considered for a subdivision and part of it was zoned Industrial (I) and part R-5. Previously there had been a Lot line adjustment because the parcel had been 14.92 acres, and the lot line adjustment allowed 15 acres to create 3 parcels. Reed explained that he would explain the zone change and minor subdivision together. Then one Public Hearing could be held with separate action taken after. The minor subdivision had been advertised and all notices sent out with no negative feedback. Reed Erickson noted that the owner of the property was Nield Montgomery.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the zone change and minor subdivision. No comments were offered. Michael declared the Public Hearing closed. Reed Erickson explained the Evaluation Considerations for Re-Zoning Policy had been reviewed and the Iron County Planning Commission had determined that the applicable ordinances and policies regarding the zone change had been complied with and that good cause existed for recommendation before the Iron County Commission.

Paul Cozzens made a motion to approve the proposed zone change from Industrial (I) to Residential 5 Acres (R-5). Second by Marilyn. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Reed Erickson explained that Section 16.20.130 – Minor Subdivision Application-Procedures had been reviewed and the Iron County Planning Commission had determined that the applicable ordinances and policies regarding the Minor Subdivision had been complied with and that good cause existed for recommendation before the Iron County Commission.

Paul Cozzens made a motion to approve the proposed Minor Subdivision – “Montgomery Minor Subdivision –3 Lots” approximately 15 acres, located at 1975 N Iron Springs Road, Cedar City within the SE¼ Section 33 and SW¼ Section 34, T35S, R13W, SLB&M (APN: E-144-1) meets all criteria. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED MINOR SUBDIVISION-“GEORGE M. VANDENBERGHE FAMILY LLC MINOR SUBDIVISION-1 LOT” 15 ACRES (NEW LOT – ENTIRE PROPERTY WAS 43.11 ACRES) LOCATED AT APPROXIMATELY 5700 W VANDENBERGHE ROAD, CEDAR CITY, WITHIN S½ SE¼ SECTION 2, T37S, R12W,SLB&M, IRON COUNTY (APN: E-262)

Reed Erickson explained that the proposed minor subdivision was before the commission previously for a road dedication. The road dedication was approved and the owners were ready to move forward on creating the subdivision. The property was zoned Commercial and was surrounded by some A-20 and RA-20. The Vandenberghe family had an offer on the property (1 Lot) to be purchased by the Paiute Tribe to continue to develop and protect their interests. Water supply would be supplied by the Paiute Tribe from their own (approved) public water system. They had provided a letter stating that they would provide water for the lot. Iron County policy required subdivision improvements be upfront and not deferred until the building permit was obtained. This situation was a bit different in terms of a commercial development because they did not know what the rest of the undeveloped area would be. Where it was a “1 Lot” subdivision the Iron County Planning Commission recommended to allow deferring the improvement requirements of curb/gutter, sidewalk (and sewer and water were taken care of) until the building permit was issued.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the minor subdivision. No Public Comments were offered. Michael Bleak declared the Open Hearing closed. Reed explained that Section 16.20.130 – Minor Subdivision Application-Procedures had been reviewed and the Iron County Planning Commission had determined that the applicable ordinances and policies regarding the Minor Subdivision had been complied with, and recommended the improvements be deferred when the building permit was issued, and that good cause existed for recommendation before the Iron County Commission. Variation of curb/gutter, sidewalk and streetlights.

Marilyn Wood made a motion to approve the minor subdivision “George M Vandenberghe Family LLC Minor Subdivision-Lot 1” was 1 Lot (15 acres) and New lot approximate 43.11 acres, located approximately 5700 W Vandenberghe Road within the S ½ SE ¼ Section 2, T37S, R12W, SLB&M, (APN: E-262) with variation of curb/gutter, sidewalk and streetlights and to defer improvement until the building permit was issued. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

No public comments offered.

PRESENTATION OF THE IRON COUNTY SCHOOL BOARD INITIATIVE BOND

Dale Brinkerhoff, Iron County School Board, explained that he, Todd Hess and Hunter Shaheen were here to seek support from the Iron County Commission for their upcoming bond election. Todd Hess, Business Administrator for the Iron County School Board, noted that Superintendent Hatch sent his apologies for not being able to attend as there was another meeting he needed to attend. Todd explained that the 2021 Iron County School District – Capital Facility’s Needs & Bond Proposal would be \$69.5M. There were three problem areas that would be covered: 1- Several of the facilities were inadequate for current needs and would not accommodate projected growth; 2- Overcrowded facilities make teaching and learning less effective. Teachers would back this up if any were asked. We want to give our students the best education they can get; 3- Antiquated facilities require continual, expensive maintenance and repairs. East Elementary School in Cedar City was 70 years old. The school looked good from the outside but the infrastructure was beginning to cost more to maintain. The old boiler would flood in the crawlspace and the school was beginning to settle. The middle schools were overcrowded especially in the music arts rooms. The transportation building was getting old and the parking area was not large enough to handle all the busses and fleet vehicles. Parowan High School and Elementary share the same lunch room at the elementary school. Parowan

Elementary did not have an adequate gym. The Cedar High Science Wing still had glass piping underneath and classes were too small. Hunter Shaheen, Iron County School Board Construction Specialist, reported on the proposed projects for funding: Cedar Middle School (constructed in 1994 and addition in 2006) had inadequate space in the performing arts room, a lack of classrooms to accommodate the current and projected enrollment. The proposed improvements were to expand the middle school by adding additional music wing, 2 science labs/rooms, and four classrooms. These improvements would resolve concerns with overcrowded performing arts rooms and accommodated growth. Canyon View Middle School Middle School (constructed in 1997, addition in 2000) had inadequate space in the performing arts rooms, 8 teachers sharing 2 science labs, and lack of classrooms to accommodate projected enrollment. The proposed improvements were for an additional music wing, and remodel the science labs. This would resolve concerns with overcrowded performing arts and science rooms and accommodated some growth. Cedar High School would receive a proposed science wing remodel to increase the size of the science classrooms and lab space. In Parowan, a shared multi-purpose facility was planned. This would provide a kitchen and lunch room, physical education, and extra-curricular space for Parowan High School and provided an improved physical education instruction space for Parowan Elementary. The Transportation Facility was to relocate and construct a new facility to allow for growth and would address security concerns. East Elementary (constructed in 1951, additions in 1959, 1979, 2008) would be the largest cost estimated on the bond. Replacing the older school with a new building on the same property would resolve environmental efficiency and age related concerns. Marilyn Wood asked what was their vision on selling the idea to public, because it could be a hard sell with that much money. She noted that it would be the most important part of the project. Todd reported that they were somewhat limited to what could be done. They were working hard to get the word out to as many as possible. They planned to present the bond issue to as many groups as possible. They were developing a website that would be attached to the School Board Website that would include information on each project. Marilyn Wood noted that getting the information out to the public would be beneficial and help the public understand all the information. Todd reported on the Tax Effect: the maximum annual debt service on a \$300K fair market value personal residence was \$212.16 service. That was an increase of \$93.50 from 2021. The plan was to put the bond out on the November 2020 Election which would have netted a decrease of \$30.89 from 2020. However, with the COVID-19 pandemic they decided against it. Two bonds were paid off in 2020 so the debt service for this year was significantly lower. If the full \$69.5M bond was issued all at once there would be the \$93.50 increase and decrease of \$134.34 from 2016. Every dollar had been allocated to each project and nothing was being held back for future projects. As they look at the schools and projected growth, there may be a need for a new elementary school in 2 years or South Elementary School would need to be replaced. The bond was set up so another \$30M bond could be requested with little or no increase in taxes. In approximately 10 years there would a need to be a new Middle/High school combination. Paul Cozzens noted his cabinet shop had placed new cabinets in East Elementary and hoped they would repurpose some cabinets, etc. Todd noted they would use all that was still salvageable. Todd noted that if anyone wanted to contact them or find out any information they could go to www.irondistrict.org. Dale Brinkerhoff expressed his appreciation for the expertise that Todd Hess brought to the school board and thanked the commission for allowing them to present the bond issue to them.

DISCUSSION AND POSSIBLE APPROVAL TO ENGAGE BABCOCK DESIGN FOR THE PURPOSE OF PERFORMING A FEASIBILITY STUDY ON A NEW IRON COUNTY JAIL FACILITY

Dan Jessen, Iron County Auditor, explained that many jail facilities had been visited to see the different designs. It had been discussed and decided that it would be in the best interest of Iron County to perform a feasibility study for the new jail facility. There had been no exact location of land for the facility which would be needed to incorporate into the design. Babcock Design had been selected for this professional service. It was important to have Babcock Design onboard to begin the feasibility study so when the actual site was located and approved they

September 13, 2021

could move forward and complete the study. A Request for Proposal (RFP) process was not required. Babcock Design was the best company to handle the feasibility study. The Feasibility Study was the next step in preparing for a new county jail facility. The total amount was \$24,800. The sight for the jail would need to be established to be able to do a thorough study.

Paul Cozzens made a motion to approve Babcock Design for performing a Feasibility Study on a new Iron County Jail Facility in the amount of \$24,800, and delay the study until a sight was found. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A LOCAL CONSENT PERMIT REQUESTED BY IRON SPRINGS ADVENTURE RESORT, OCTOBERFEST EVENT TO BE HELD ON OCTOBER 16-17 AND OCTOBER 22-23 TO BE HELD AT THE IRON SPRINGS RESORT

Jon Whittaker explained that this was the second year of an annual Octoberfest Event at the Iron Springs Resort. The event was held over 2 weekends. To serve alcohol, it was required for them to obtain a Local Consent Permit from the Local Government Authority, which was the Iron County Commission.

Marilyn Wood made a motion to approve a Local Consent Permit requested by Iron Springs Adventure Resort, Octoberfest Event to be held on October 16th -17th and October 22nd – 23rd at the Iron Springs Resort. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION REGARDING IRON COUNTY DOG LAWS AND ENFORCEMENT

Keith Job, a resident of Monte Vista Acres subdivision, reported that he was concerned with residents having more than 2 dogs at their home. There were some residents in area that had 5-15 dogs. Zoning Laws state that there can be ownership of 2 dogs per residence. His neighbor moved from Arizona and brought his hound hunting dogs with him on one acre of land. The main issue with so many dogs was the constant barking and howling and that they were exceeding the limit of dogs per household. Keith explained that the unincorporated area animal control was handled by the Sheriff's Office. He had called the Sheriff's Office and the Zoning Department approximately 10 times in the last year, since his neighbor moved in. He had tried to talk to his neighbor and he just yelled at him for turning him in. The Sheriff deputies would come out and talk with the owners, but the problem was that they were non-compliant. He reported that there was not a strict fine system. The same dogs that were there a year ago are still there today. Cedar City does have a 2 dog limit but they did not enforce it. On a complaint call in the Cedar City limits, the first visit they were given a warning and the next complaint they were given a fine. Mr. Job noted that in the unincorporated areas of Iron County there was no fine system in place to require the offenders to comply with the zoning requirement. He would like to request that in the Iron County unincorporated areas follow other successful counties. He came from Summit County (one of the wealthiest counties in Utah) and they have no barking problem because the animal zoning laws were enforced. If the laws were enforced and a fine system put in place, there would not be a problem. Marilyn Wood noted that the only ordinance she could find regarding amount of dogs only concerned "at large" dogs. Sheriff Carpenter reported that Mr. Job's information was incorrect. The Sheriff Office does enforce the law with citations and follow the same pattern as the Cedar City Police Department. The owners were given a warning and given time to become compliant with the laws, and if they did not become compliant then they were issued a citation. The problem was that they did not have authority to seize the dogs. Some of the owners had been cited repeatedly and the problem still remained, and only a court order would allow them to cease the dogs (which he had never seen happen). Iron County does have an ordinance (Code 17.36.246 – Household pets) that had a 2 dog limit per home. Cedar City had the same problems as the county, and so do other counties. This was a problem across nation not just in unincorporated Iron County. Sheriff Carpenter reported that his office operated out of "probable cause." If they received an animal complaint (especially a barking dog) if it was within the reasonable hours set by the county they would not be cited. That was just a result

in living in a community. If it was after the posted hours and the when the Deputy arrived and there was no barking at that time, the Deputy had no probable cause. If the recording party wished to push the issue, they could sign a citation as a complaint then appear in court and supply the probable cause for the citation to be enforced. Sheriff Carpenter reported that they issued citations very frequently. Mr. Job asked how much the county brought in with fines because it didn't seem to be working. The fines that he was familiar with were progressive as the situation continued, and they were fined for each dog not in compliance. No one knows what the fine was but it wasn't enough to act as a deterrent. The fine needed to be consistent with the number of dogs. Paul Cozzens reported that when he was on the Cedar City Council this issue came up when there was a gentleman that owned 2 hunting dogs and one was getting older and he purchased another puppy to train so it would be able to replace the older one when it died. There were some who wanted him to get rid of one of his dogs. There were many public hearings and research done and it was determined that most residents in Cedar City had more dogs than allowed. It comes down to being a good neighbor and being responsible for your dogs. Some people have 5 dogs and you would never know it versus one having only one dog that barks all the time. It was determined that having a limit of 2 dogs was not working and it fell under the nuisance law. Michael Bleak reported that it was the Administrative Office of the Courts (AOC) who set the fines. There was no local internal method set for the fines or bail schedules and it was all done through the Legislature. Marilyn Wood explained that when Mr. Job had talked to her he reported that his neighbor was raising puppies. Sheriff Carpenter reported that Cedar City used to allow residents to have 3 dogs. Anything over the 3 dogs required a Kennel License. Iron County had the same ruling but it was anything over 2 dogs. There were legitimate businesses in the county that had a Kennel License to breed dogs and sell the pups. Reed Erickson agreed with the sheriff with the addition that it had to be in the right zone. Currently, the A-20 zone allowed a Kennel License and the RA-20 zone allowed up to 8 dogs and anything over required a Kennel License. Must be in right zone area. Keith stated that it was hard to believe that his neighbor was paying a significant fine and still had too many dogs and he wanted to know if they were really fined on the second call. Sheriff Carpenter reported that on the on the first call a warning report was made and on the second report a citation was given. Keith noted that he would look into how the fines were leveled and research more on fines. Jon Whittaker noted that he would research the Business License laws to see if there was anything there that would pertain to dog kennels.

DISCUSSION AND POSSIBLE APPROVAL TO PARTICIPATE FINANCIALLY IN THE PURCHASE OF A HELICOPTER TO BE USED BY SOUTHERN UTAH UNIVERSITY (SUU) AVIATION AND TO BE AVAILABLE FOR USE BY THE IRON COUNTY SHERIFF'S OFFICE

Michael Bleak, Iron County Commission Chair, explained that this had been before the commission before and welcomed Mr. Dodge to deliver his presentation.

Marvin Dodge, SUU Vice President and Chief Financial Officer for the Aviation Program, noted that it was great to partner with the Iron County Sheriff's Office. When the Aviation program began 2014 they were immediately committed to the Sheriff's Office to help with any helicopter assistance. There had been hundreds of calls for their assistance and SUU had never charged time or fuel for the helicopter aid to Iron County or the Sheriff's Office. There had been many conversations between SUU, Iron County, and the Sheriff regarding the Bell 407 Helicopter. Marvin reported that the helicopter was on loan (for a nominal fee) from Search and Rescue in Maryland for the last 18 months. The helicopter was outfitted with equipment for night light and imaging. The purchase for the helicopter was \$1.2M and SUU was requesting a onetime assistance for the purchase of the helicopter of \$300K from Iron County.

Mike Mower, SUU Aviation, noted that the current value of the Bell 407 was \$2.5M. The helicopter was perfectly suited for the rugged, high altitude, and windy conditions of Southern Utah and was able to land on any of the surrounding mountains. Mike noted that if the conditions were safe to fly, SUU Aviation would always dispatch airborne assets to assist with the Iron County Sheriff Office mission. There were 7 flights for the recent flooding in Iron County. Los Angeles, California was the closed place to have the same capable helicopter available in the

area. SUU Aviation would take of any maintenance and the insurance costs for the helicopter. Over an 18-year period, SUU Aviation had an average of 125 flight hours, per year, in service to the citizens of Iron County. These flights have come at no cost to the county. Mike addressed the concern that the infrared lights would allow the operators of the helicopter to look into homes. He reported that the infrared lights only picked up heat and did not have the power to enter homes. Mr. Mower explained that once the equipment locked onto a vehicle or a suspect that was running it would continue to track while they were flying the helicopter around. As said previously, this was a onetime financial request and was not an ongoing expense to Iron County. The cost was roughly the cost of one vehicle per year. Since January of 2021, they had been called out for assistance 70 times. They did not deploy on all the calls but were ready to go if they were needed. This type of assistance outside of Los Angeles County, California does not exist, except in Iron County. Michael Bleak asked if SUU did not have the helicopter and there was a need of one of this type, how much would the hourly cost be to bring one in? He reported that most Emergency Helicopters offered the first hour of use for free, after that it was approximately between \$2,500 and \$3K per hour. Jon Whittaker asked what the Bell 407 provided for SUU. Mr. Mower explained that the way they were able to justify the purchase of the aircraft that when it was not being use to assist the Sheriff's Office it was used for high mountain training. The training on the helicopter was training the next generation of Law Enforcement Pilots. Iron County was a great area for a helicopter to train because of the altitude and wind. Other aviation schools in the country have reached out to be able to train here. Jon asked if there was a specific part of the training geared to law enforcement training or was it offered to everyone. Mike reported that it was offered to everyone as part of the training. There was a large portion of their senior pilots that had been deputized for the Sheriff Office Division. There were approximately 10 that had been deputized and several had moved on to other Law Enforcement careers across the country. Marilyn Wood noted that the amount they were asking had weighed heavily on their minds as it was tax payer money. However, the more research they did helped them realize what an asset and benefit it would be for Iron County and it was a good price for all the assistance it would offer. Kenneth Bauer asked what was the life expectancy of the helicopter and when would it need to be replaced. Mr. Mower explained that with larger helicopter of this size the individual components were overhauled and SUU Aviation was expecting at least 15 years from the Bell 407. Paul Cozzens explained that he had done some research on the life expectancy and was told by many that 15 years was very conservative. SUU would be paying for all maintenance, fuel, and provided the pilots. This was a one-time contribution for a great partnership. He reported that Iron County had an incident with a fugitive involved in a high speed chase from Beaver County and the helicopter was very helpful. The value of help at the price that was requested was what helped him justify Iron County's participation. Dan Jessen, Iron County Auditor, asked that if the Commission approved the funding what was the timing of needing the funds. He explained that there would need to be a budget adjustment made and would not be completed until around the end of November. Mr. Mower explained that they were pursuing funding assistance from other State Agencies as well. The company that owned the helicopter was very willing for SUU Aviation to seek financing and SUU could float the county's portion until the check was ready to deliver. Jon Whittaker noted that when the issue of these funds came up from other elected officials their concern was if the funding would be coming out of the general fund and might be competing with the employee's insurance renewal costs and possible raises. Dan stated that this would be from the Municipal Fund 11 where the Sheriff Patrol budget was. He reported that the fund did have a healthy fund balance but did not have a surplus and was fairly tight. There were a lot of demands from the Fund. There was a quick adjustment due to the recent salary increase and that fund would bear the brunt of those increases. There were also high fire department requests that came out of the same fund. This request would be a one-time payment and not be a recurring expense, which was less stressful. Paul Cozzens noted that if you considered the amount of money that had been donated to Iron County from SUU Aviation since 2014, the county had probably spent that much already. We want to be good neighbors and SUU probably wanted to request more. We need to be grateful for the all service that they had offered to Iron County. Michael Bleak noted that

speaking from the Law Enforcement standpoint, being there for over 25 years and having utilized the services it had helped the outcome of many incidents. The level of training and experience that was offered was unprecedented. He had been involved in some scary pursuits in the past. The incident involving the speeding fugitive after he left the car and started running, had terminated as soon as the helicopter spotted the man. He just laid down and gave up. If the services were available in the case of a missing and deceased female for over a year whose body was only 300 yards from the residence where she was last seen could have been a better and different outcome. The family could have had closure and less worry a lot sooner.

Paul Cozzens made a motion to approve participation financially to help with the purchase of a Bell 407 Search and Rescue Helicopter to be used by SUU Aviation and be available for use by the Iron County Sheriff's Office, in the amount of \$300,000 with a budget adjustment. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

AWARD OF THE CONTRACT FOR THE INDEPENDENT AUDIT FOR THE 2021-2023 YEAR AS RECOMMENDED BY THE AUDIT COMMITTEE

Dan Jessen, Iron County Auditor, expressed his appreciation for the commission bumping his agenda item up. Dan explained this was the end of the year for the contract agreement with Independent Auditor Kimball & Roberts. With a Professional Service Contract, it was not necessary to send out a Request for Proposal (RFP). The decision to send out an RFP was to improve transparency and the competitive nature of the process. He reported that he had received two proposals, One from Hinton & Burdock and one from Kimball & Roberts. Iron County had worked with both firms in the past and he had confidence in both. He noted that next year would be unique for Iron County as a Certified Annual Financial Report (CAFR) program would be installed and the Auditor's Office would run the audit in house. In the past, one firm would prepare the audit and another firm would perform the audit. The Incode program that the county used offered a CAFR program builder and would take a large burden from the Auditor's Office Staff. Jared Wilson, Iron County IT Director, performed a CAFR update over the weekend and he would have access to the program and begin the training with the Incode Server. Jon Whittaker asked Dan if having Luke Little on staff was a benefit to help with the CAFR program and the new Grant program and thought it was worth noting. Dan reported that with the retirement of Christene Lowder, Luke had been hired. Luke had an Accounting Degree and would be assisting Dan with year-end accounting and would be the point of contact with all grant work. Dan explained that he would handle the bulk of the CAFR work, but would be assisted by Luke. The RFP was sent out for a 3 year bid. The Audit Committee was scheduled to meet the day after the Flying L flooding and the meeting was postponed. When the committee met they did have a robust discussion and the Audit Committee recommended to accept the bid from Kimball & Roberts for the 3-year contract. After 3 years Kimball & Roberts would not be used because they would have been used for 6 years. The bid proposal was for the amount of \$24,480 per year.

Marilyn wood made a motion to approve a contract be awarded to Kimball & Roberts for the Independent Audit for the 2021-2023 year as recommended by the Audit Committee for the amount of \$24,800 per year. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED CONTRACT AGREEMENT FOR PROFESSIONAL SERVICES WITH JUSTIN STEIN (J BROWN RIGG ARCHITECTURE) FOR ARCHITECTURAL SERVICES RELATED TO THE NEWCASTLE FIRE STATION

Reed Erickson, Iron County Planner, reported that this agreement was similar to the professional services as previously explained by Dan Jessen. Justin Stein (J Brown Rigg Architecture) was selected from a prior Request for Qualification (RFQ) list that was used before with the Iron County Courthouse and the Public Safety Building. The contract would be for Architectural Services to construct a Newcastle Fire Station. Reed explained that they had met
September 13, 2021

previously with Justin and had asked him to help solicit grant funding. He prepared drawings regarding the sight, elevation of the building and a layout that was used for grant funding with both the Community Development Block Grant (CDBG) and the Community Impact Board (CIB) who helped secure funding for the building. Justin had already done a lot of the preparation with no charge for his services. Also, along with his proposal it would encompass the consideration for the fee of \$28,400 for the design up to the point of submitting it out to bid. Justin included the services for the evaluation of bids and overseeing the project. Reed reported that Iron County could do that work locally and asked him to remove that part of the architecture fee. The total amount was \$28,400. The typical Architecture Fee was 6% which was reasonable. The Iron County Planning Commission recommended Justin Stein, Architect, to be presented to the Iron County Commission for approval. Paul Cozzens reported that when he conducted a sight visit he was concerned that the other building was too low and the new building needed to be a lot higher. Reed reported that he was meeting with Mr. Peterson tomorrow and had engaged Platt and Platt Engineering to meet with them. Iron County had an outstanding lease of the cell tower on that sight. Platt and Platt had done some work with the cell company who had the lease option on the sight. Platt and Platt agreed to help with the survey and could use that elevation information. Yes, they were aware of the height and would accommodate that in the planning. Marilyn Wood asked if that would be an additional cost. Reed reported that yes it would, but this was only for the design to establish elevations, and Platt and Platt would consult with Justin on doing the building layout. The Planning Commission would work with the Road Department for grading and they had also engaged GEM Engineering to conduct a soil analysis. Reed reported that the contract included the mechanical, plumbing, and structural design and the civil work would be hired out and Justin would oversee that. Jon Whittaker explained that he was able to find the original Cell Tower Lease but was unable to find any renewal agreement. Reed explained that in the Spring of 2018, Iron County entered into an agreement with the Cell Tower company to put a Cell Tower on the SW corner of the property. The company agreed on a lease agreement with the option to lease in 2018 for a 24-month period. In June of 2020 they had two options to renew for one year each time. They renewed for one year and that expired in June of 2021. There was no record available that they signed a renewal for another year. He explained that the company (Insight Towers) they originally contracted with sold the company to American Towers in December of 2020 and there was no record of renewal. If American Towers happened to find an extension option for another year, Iron County may have to take action to terminate the option or do something different if it became a problem. He reported that as far as records from Iron County, the lease had expired and the project could move forward. Paul Cozzens reported that Lester Ross called him last week and requested they could get some preliminary bids on metal buildings because the availability was so delayed and he wanted to include the prices in the bid. Reed reported that the only issue was the CDBG was more stringent to satisfy the requirements for their funds. The process guidelines had to be followed.

Paul Cozzens made a motion for approval to award the contract agreement for professional services with Justin Stein (J Brown Rigg Architecture) for architectural services related to the Newcastle Fire Station in the amount of \$28,400. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Marilyn Wood, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL AND ACCEPTANCE OF A ROAD DEDICATION FOR PUBLIC RIGHT-OF-WAY (ROW) AT 7700 WEST, IRON COUNTY, FROM CEDAR CITY CORPORATION FOR THE PURPOSE OF WIDENING AND CHIP SEALING 7700 WEST (LAKE ROAD)

Reed Erickson, explained the road was located west of Quichapa Lake, often referred to as "Lake Road," Section 32 on the east side. This road dedication was unique because in order to chip seal the rest of the road, they had gone to the property owners asking for the difference to what had been done to get a 50-foot Right-of-Way (ROW). The property (Section 32) belonged to Cedar City and they can't give something for nothing as the public owned it. After discussions, it was determined that the best decision was to do a road dedication. Cedar City

could dedicate it as a road, even though it was in unincorporated Iron County, it would not be dedicated in the city (even though they owned it). If Cedar City did a road dedication through their typical road dedication process and if Iron County accepted it as part of a road dedication, it would satisfy their need to be compensated for the property. Cedar City dedicated 33-feet from the center line west along the frontage and was approximately 4 acres of a mile-long section. This would allow the chip seal to continue on the road from 2000 South from Hwy 56 to Vandenberghe Road. The agenda item was to accept the road dedication from Cedar City.

Marilyn Wood made a motion to approve and accept a Road Dedication for public ROW at 7700 West Iron County, from Cedar City Corporation for the purpose of widening and chip sealing 7700 West (Lake Road). Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RESOLUTION 2021-7, DESIGNATING SEPTEMBER 21, 2021 AS A DAY OF GRATITUDE THAT NO LIVES WERE LOST DURING THE MONSOONAL FLOODING OF 2021 AND FOR THE TENS OF THOUSANDS OF HOURS OF SERVICE RENDERED IN IRON COUNTY

Michael Bleak noted during the flooding everything was difficult and there was very little that could be done to stop it. There were many heroic actions during and after the flooding. He reported that he had many comments that said “I can’t believe there was no loss of life and there were no serious injuries.” Michael stated that the commissioners decided that it was important to have September 21st dedicated as “A day of Gratitude” to all citizens. We were fortunate that there was only property damage and no tragic loss of life. Marilyn Wood noted that she was thrilled to have this dedication. She reported while walking in the flood water the thought of someone falling into a manhole cover would have been devastating. It was impossible to see them though the muddy water. Michael Bleak noted that if the flood water in Cedar City had come at night it may have been a very different outcome. Iron County was blessed and there were so many stories of helping neighbors. Marilyn Wood stated the it was wonderful the way the different Church of Jesus Christ of Latter-day Saints Wards were organized and stepped right up to help, along with all the other citizens that helped. This was a terrible event but we also need to remember that some good came out of it.

Paul Cozzens made a motion to approve Resolution 2021-7, designating September 21st as “A day of gratitude” that no lives were lost during the monsoonal flooding of 2021 and for the tens of thousands of hours of service rendered in Iron County. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-7

A RESOLUTION DESIGNATING SEPTEMBER 21, 2021 AS A DAY OF GRATITUDE THAT NO LIVES WERE LOST IN THE MONSOONAL FLOODING THAT OCCURRED IN IRON COUNTY IN THE SUMMER OF 2021.

Whereas, terrible flooding occurred in parts of Iron County during the summer months of 2021 damaging many homes and infrastructure; and

Whereas, with the help of Providence no lives were lost in said floods; and

Whereas, volunteers gave tens of thousands of hours of service both during and after the flooding events to help restore homes and property once again; and

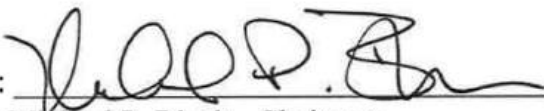
Whereas, “World Gratitude Day” was began in 1965, and is observed each September 21st; and **Whereas**, Iron County continues to be blessed by the hand of Providence and has shown that when individuals are suffering, we will be there for each other.

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

That Iron County declares September 21st, 2021 as a day to express gratitude to God and to reflect on the incredible preservation of life bestowed during the floods of 2021.

DATED this 13th day of September, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak - Chairman

ATTEST:


Jonathan T. Whittaker - Iron County Clerk



Voting:

Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Aye </u>
Marilyn Wood	<u> Aye </u>

RESOLUTION 2021-8, WAIVING CERTAIN BUILDING PERMIT FEES FOR INDIVIDUALS AFFECTED BY THE 2021 MONSOONAL FLOODING

Terry Palmer, Iron County Zoning/Planning Administrator, explained that he had been approached by Richard Wilson, Iron County Engineer, on behalf of some of the homeowners noting that FEMA was needing proof of damage. Terry reported that he told the owners that as long as they came in to get the building permit they would waive the fees for the permit. The permit would be used to get them back on their feet to getting their damages fixed without any additional expenses. The building department would do the inspections and make sure that they were in compliance with the FEMA rules. This resolution would follow the pattern of the Brian Head Fire Resolution. This would be for the homes in the county that were affected by the flooding to give them some relief with no fees. The damage to the homes was very minimal with only one or two that may have had more structural damage. Most of the repair would involve replacing sheet rock. Richard Wilson reported that he had received the report and there was no apparent structural damage. He explained that this process kept the county in compliant with FEMA rules. Because Iron County was participating in the FEMA Flood Plain maps, even though they were older flood maps, they were eligible to receive flood insurance. If Iron County did not stay in compliance they could be kicked out of the program. He was told that in the future, if the homeowner decided to sell or refinance their home, they could show documentation to provide proof of compliance. Although the fees were being waived, the inspections would still be completed. Terry reported that this all would help to keep in compliance of the new inspection laws that were passed in June.

Marilyn Wood made a motion to approve Resolution 2021-8, waiving certain Building Permit Fees for individuals affected by the 2021 Monsoonal Flooding. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-8

A RESOLUTION TO WAIVE CERTAIN FEES AND REQUIREMENTS ASSOCIATED WITH THE RECONSTRUCTION OF STRUCTURES DAMAGED OR DESTROYED DURING THE 2021 MONSOONAL FLOODING.

Whereas, Iron County is responsible for providing building inspections and related services for all new construction, alteration, movement, enlargement, replacement, repair, equipment, use, and occupancy, location, removal, and demolition; and

Whereas, counties and cities are mandated by the State of Utah to use the building codes the State of Utah adopts and amends through the yearly State legislation process; and

Whereas, the only relief Iron County has control over is the waiver of building permit fees, and those requirements adopted through Iron County Land Management Codes as outlined herein; and

Whereas, building codes are adopted to establish minimum requirements to safeguard the public safety, health and general welfare, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations; and

Whereas, Iron County recognizes the destruction of structures in the flood was not the fault of the people who suffered losses, nor did those people have any control over this devastation; and

Whereas, Iron County recognizes the mutual benefit to both the property owners in these areas and to the local government to rebuild the buildings and structures.

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


That Iron County extends to those property owners, whose buildings and structures were damaged or destroyed by the 2021 Monsoonal Flooding, building inspection services, at no cost for said services, as outlined herein.

1. The building codes shall be adhered to as adopted by the State of Utah and enforced throughout Iron County.
2. Plans and the building construction shall adhere to Iron County and State of Utah building construction and land use codes, ordinances, rules and laws to the extent outlined herein.
3. Chapter 17.59 Iron County Code, "Geologic Conditions" is hereby waived. However, the International Residential Code is applicable concerning soils requirements.
4. Building permit applications and plans shall be submitted to and approved by the Iron County Building Inspection Department. Plan reviews are required. Some plans may require engineering.
 5. A building permit shall be obtained prior to the commencement of construction of any buildings and/or structures. Said building permits may be applied for and must be approved by the Iron County Building Inspection and Zoning departments.
6. Building inspections shall be requested and passed just as with any other new construction.

7. The replacement building or structure may be doubled in square footage from the size of the original building or structure. Additional footage thereafter can be added by paying the building permit price for the additional footage. The cost of the building permit will be charged at the same rate as new construction.
8. The building or structure shall be used for the same occupancy use the building or structure was approved for prior to the 2021 Monsoonal Flooding.
9. The property owner(s) must provide proof to the Iron County Building Inspection Department that the destroyed or damaged building or structure was assessed on the Iron County tax rolls prior to January of 2021, as maintained in the office of the Iron County Assessor.
10. The building or structure must be built on the same property as identified by the Assessor's parcel number that the original building or structure was built on prior to the Monsoonal Flooding of 2021.
11. Non-adherence to any or all of this Resolution forfeits the property owner's rights to this Resolution, thus subjecting the property owner to customary cost of the building permit and possible fines.
12. This Resolution and its benefits to aggrieved property owners expires and is null and void at 5:00 p.m. on December 31st, 2025.
13. The expiration for building permits obtained under this Resolution is subject to the same as those outlined in the building codes, ordinances, rules, policies and laws adopted by the State of Utah and Iron County.

DATED this 13th day of September, 2021

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak - Chairman

ATTEST:


Jonathan T. Whittaker
Iron County Clerk



Voting:

Michael P. Bleak	<u> Aye </u>
Paul Cozzens	<u> Aye </u>
Marilyn Wood	<u> Aye </u>

DISCUSSION AND POSSIBLE APPROVAL OF A OHV TRAIL PROGRAM GRANT FOR THE FY22 Q1 THROUGH JULY 12TH

Mike Worthen, Iron County Resource Director, explained this was a grant he had applied for in June. The grant was approved for \$9,850 for OHV trail repairs.

Paul Cozzens made a motion to approve the OHV Trail Program Grant for the FY22 Q1 through July 12th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A VEHICLE TRANSFER FROM THE IRON COUNTY SHERIFF DEPARTMENT TO THE IRON COUNTY FIRE DEPARTMENT (2014 FORD F-150)

Ryan Riddle, Fire Warden, explained that Sheriff had an excess vehicle, a 2014 Ford F-150 that they were preparing submit for public auction. He asked permission to replace a 1999 Ford Explorer that he planned to turn in for auction for the F-150.

Marilyn Wood made a motion to approve vehicle transfer from the Iron County Sheriff Department to the Iron County Fire Department (2014 Ford F-150). Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented Michael Fogg as the newly approved Corrections Nurse, in Corrections effective date September 6th. Paul Cozzens made a motion to approve Michael Fogg as the newly approved Corrections Nurse, in Corrections effective date September 6th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented Kaycee Tidwell as a Part-time Outreach Coordinator for Council on Aging, effective date September 7th. This was a backfill of a vacant position. Jennifer presented new hire Codie Lamoreaux as a Part-time Assistant Cook in the Parowan Senior Center, effective date September 1st. This was a backfill of a vacant position. Marilyn Wood made a motion to approve Kaycee Tidwell as a Part-time Outreach Coordinator for Council on Aging, effective date September 7th. This was a backfill of a vacant position, and Codie Lamoreaux as a Part-time Assistant Cook in the Parowan Senior Center, effective date September 1st. This was a backfill of a vacant position. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented Wade Adams for a promotion from Assistant Roads Supervisor to Iron County Fleet Supervisor with corresponding pay, effective September 17th. Paul Cozzens made a motion to approve Wade Adams for a promotion from Assistant Roads Supervisor to Iron County Fleet Supervisor with corresponding pay, effective September 17th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury explained that with the retirement of Lieutenant Del Schlosser, Sheriff Carpenter requested additions to the Lieutenant Patrol Structure within the Sheriff Department. The two positions requested were an Administrative Lieutenant and a Roads Patrol Lieutenant. Marilyn Wood made a motion to approve the request for additions to the Lieutenant Patrol Structure within the Sheriff Department as presented by Jennifer Bradbury. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury explained that this was a request to modify the agreement regarding the monies owing Iron County upon final employee paycheck to include additional verbiage and sign on bonus for the Assessors' Office. The Sheriff's Office employees who were eligible for a sign-on bonus, the employee shall receive the bonus payment upon successful completion of the Field Training Officer (FTO) program. Upon termination or resignation before the end of contracted timeframe (24 months), the county shall deduct any sign-on bonus balance owed to the county from the employee's final pay-checks. For non-public safety employees who are eligible for a sign-on bonus, shall receive their sign-on 6 months after they are hired. All Sheriff's Office employees who are paid by Iron County to attend Peace Officer Standards and
September 13, 2021

Training (POST) Academy Certification, upon termination or resignation before the end of contracted timeframe (24 months from date of completion of POST Academy), the county shall deduct any sign-on bonus balance owed to the county from the employee's final pay-checks. For all Iron County Employees who receive an annual cell-phone allowance, upon termination, retirement, or resignation, the county shall deduct any pro-rated remaining cell-phone allowance balance owed to the county from the employee's final pay-checks. Paul Cozzens made a motion to approve the request to modify the agreement regarding the monies owing Iron County upon final employee paycheck to include additional verbiage and sign on bonus for the Assessors' Office. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF CERTAIN PERSONAL PROPERTY REFUNDS FOR 2020. NOTE: PART OF THIS DISCUSSION MAY BE CLOSED PER UCA §52-4-205(k) "DISCUSSING COMMERCIAL INFORMATION"


Marilyn Wood made a motion to move into a closed session to discuss certain personal property refunds for 2020 per UCA § 52-4-205(k) – Discussing Commercial Information. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

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

I, Michael Bleak, 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(k) – Discussing Commercial Information regarding certain personal property refunds for 2020.


Signed: Michael Bleak, Chairman




Attest: Jonathan T. Whittaker, County Clerk

Michael Bleak declared the Closed Session ended. He explained that the commissioners had discussed the issue and determined that item would be brought back next commission meeting with more specific verbiage. Marilyn Wood made a motion to table item to bring back to the next commission meeting. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.


NON-DELEGATED ITEMS
BOARDS


The commissioners discussed the appointment of Lieutenant David Evans of the Cedar City Police Departem to be on the Administrative Office of the Courts Coordinating Council. This was a discussion only, as Iron County does not make this appointment.

No other Non-Delegated items were discussed.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael Bleak, Chairman


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
SEPTEMBER 27, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. September 27, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Karsten Reed	County Assessor
Terry Palmer	County Building & Zoning
Sam Woodall	County Deputy Attorney
Shalon Shaver	County Corrections Commander
Jennifer Bradbury	County HR Director
Lori Eichelberger	County Justice Court Administrator
Bruce Anderson	County Landfill Supervisor
Reed Erickson	County Planner
Preston Nelson	County Roads Supervisor
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	11
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
COMMUNICATION USE SITE LEASE-MOBILE RADIO SERVICE	10
DEPARTMENTAL REPORTS.....	2
INVOCATION	2
MOU WITH NRCS, CEDAR CITY, ENOCH CITY, WASTEWATER EFFLUENT	10
NON-DELEGATED ITEMS.....	9
PERSONNEL	10
PLEDGE OF ALLEGIANCE.....	1
PROCLAMATION 2021-1 - OCTOBER DOMESTIC VIOLENCE AWARENESS MONTH....	8
PUBLIC COMMENTS	6
TAX CREDIT REGARDING GAF CORPORATION 2021 PERSONAL PROPERTY TAX ...	11
TAX CREDIT REGARDING PHAZE CONCRETE INC 2021 PERS. PROP. TAX	11

PLEGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Terry Palmer.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held September 13, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM

Marilyn Wood made a motion to approve Claims for Payment for September 13, 2021 through September 26, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Terry Palmer, Iron County Building & Zoning Administrator, explained that his report numbers covered from January 1st through September 24th. Building Department: HB1003 had gone into effect and now once a plan was excepted they only had 14 days to have it reviewed. There had been 534 project plan reviews, compared to 261 in 2020. As of September 24th, they had issued 462 permits, compared to 362 in 2020 and completed 2,997 inspections, compared to 2,421 in 2020. Building Maintenance had begun pre-construction on a new Newcastle Fire station building. Terry presented the Building Permit Summary Report: The total of the Iron County Unincorporated area: Building Permits-Valuation \$33,178,837 and Fees \$519,873; Single Family Dwelling-154, Additions/Remodels-40, Accessory-91, Solar System-35, Misc. (Electrical/Gas piping)-51 and Commercial 5. He reported on the combined totals for Parowan City, Brian Head Town, Paragonah Town & Kanarraville Town (excluding Iron County Unincorporated areas): Building Permits-Valuation \$15,040,193 and Fees \$189,072; Single Family Dwelling-38; Additions/Remodels-20; Accessory-14; Solar System-4; Misc. (Electrical/Gas piping)-14 and Commercial 3. Terry reported that he continued to look into the dog issues that were brought up at the last commission meeting. He had been out to the Monte Vista subdivision many times and wasn't able to locate any dog issues. He was aware of the concerns and would continue to monitor it.

Lori Eichelberger, Iron County Justice Court Administrator, reported that the budget was on track at 61% spent. The travel and training item was at zero spent as the training had all been conducted over Webex. The office was down one clerk, but she was able to hold interviews and make a job offer, which was accepted, and they would begin October 1st. Court Hearings were back in session, with a mandated mask requirement. Lori reported that Judge Miller had submitted a letter noting that she would not run for re-election. She would still be with the Court until December of 2022, but would be greatly missed. She expressed her appreciation for all the work Judge Miller had done for Iron County. Lori explained that Small Claims would be moving to an Online Dispute Resolution system. Online dispute resolution was a method of dispute resolution which used technology to facilitate the resolution of disputes between parties. It primarily involved negotiation, mediation or arbitration, or a combination of all three. The idea was to resolve a dispute or a conflict by meeting at least some of each side's needs and addressing their interests. If the dispute could not be settled through arbitration, then it would come to the courts. She reported on the Justice Court monthly recap of charges from January thru June 2021: DUI's-79 (up by 9 from 2020), Driver's License Violations-323 (up 47), Moving Violations-3,517 (down 463), Non-Moving Violations-1,014 (up 49), Assaults-39 (up 13), Theft-38 (down 40), Controlled Substance/Narotics-373 (up 19)), Domestic Violence-45 (down 4), Other miscellaneous misdemeanors/infractions-261 (up 17). Court Revenue Collected-\$1,095,178; Revenue disbursed-\$450,681 and Revenue Retained-\$644,497. There had been 6,098 citations given, up to the month of August, compared to 9,600 total in 2021. She noted that September 27, 2021

there was a Justice Court Reform Task Force that was moving forward with changes to the Justice Court. There had been a lot of discussions and there was an outside chance of recomposition in terms of what they handle. Lori stated that she cared about her employees and hoped that no one would be impacted by any changes. Marilyn Wood expressed her appreciation for all that Lori handles. Michael Bleak thanked Lori for letting them borrow flags for a Legislative Reception on Saturday. Marilyn Wood mentioned that Judge Miller would be missed. Lori reported that Judge Miller was fair, explanatory, compassionate, and took time to explain the system to those who appeared before her.

Bruce Anderson, Iron County Landfill, reported that he continued to work on the process of renewing the operating permit for the landfill and was getting close to completing it. The Engineer and State might require the landfill to drill another monitoring well. From January to August there had been 168 new customers. He had completed the fall water samples of the 3 monitoring wells. The well (Portal 5) inside pit did not produce any water and he sent the information to the State. Bruce reported that he was able to purchase a used 2019 water truck from Wheeler Machinery for \$100K. The truck would be a great asset to the Landfill so they wouldn't have to rely on the Road Department so much. He reported that all his employees were healthy and the budget was on track, with the exception of maintenance. The secondary compactor was down and they were trying to figure out the problem. From January 1st through September 9th the tonnage was approximately 63K. He received the final report from a train derailment near Lund after a severe thunderstorm and there was 1,400 tons of contaminated soil that was brought in. The preliminary report from the flooding was approximately 1,200 tons. Paul Cozzens expressed his appreciation to Bruce for help keeping the excavator that was used for flood channel repairs fueled and greased every morning when they were cleaning out the flood channels. Paul noted that he had run the equipment until 5 p.m. one night and Bruce took over and had worked all night. He was there when Paul came out the next morning at 7 a.m. Bruce and his crew continued to help clean out the flood channels.

Preston Nelson, Iron County Road Supervisor, reported that all summer chip sealing was completed. The department had been cleaning up after the flooding and would continue to do so. Per Commissioner Woods' request, Preston reported on the time that was spent on the equipment so far and how many miles of road was maintained by the county. He reported that there were: 270 miles of paved roads, 425 miles of graveled roads, and 288 miles of dirt roads maintained in the county. There were 4 graders that took care of the roads and averaged 5-6 miles per day. It took two to three months to get to the roads that needed work the most. Since August 18th, or the beginning of flooding, the Road Department had put 640 hours trucking: 200 hours on the Loader, 80 hours on the Track hoe (plus 158 hours on the Track hoe rented from Phil Schmidt), 150 hours on the Dozer, 400 hours on the Grader, 160 hours on the Backhoe, and 30 hours on the Skid Steer. There was still a lot of clean up to be done. He had a Dozer in the flood channels working to clean it out and widen it. There were other areas that also got hit with flooding: Bald Hills, Kanarraville Mountain, Cedar Mountain, Webster's Flat, and Gold Springs. Paul Cozzens noted that he and Commissioner Wood attended a viewing in Kanarraville on Saturday, and after they drove over to look at the detention basin on the south end of Kanarraville. It was amazing how much one rain storm could bring. Preston reported that Richard Wilson, Iron County Engineer, had gotten a glass of water from the Flying L flood water and it was 30-40% sediment. Marilyn Wood expressed her appreciation to Preston for all the work the Road Department had done to help with the cleanup from flooding. She had spoken to many of the residents and each reported that the road crew was wonderful and willing to help in any way.

Marilyn Wood asked Bruce Anderson to report on the excavator that he had looked into purchasing. Bruce reported that he did find an excavator but it was not in very good shape, so they were still looking. The excavator would be located at the landfill and the Road Department would have access to it.

Paul Monroe, Central Iron County Water Conservancy District Director, commended the commission for the way they planned to distribute funds from the possible American Rescue Plan Act (ARPA) funding. He noted that he appreciated how they leveraged and put Iron County in a good position to be able to obtain the funds. Paul Cozzens noted that HB1004 had set aside \$50M for COVID related expenses when matched by local governments, and he last heard there were over \$1B in requests. He reported that all the needs that Iron County submitted for the funding were crucial needs, which ARPA recognized, and he remained hopeful for receiving funds. Marilyn Wood stated that the ARPA program for Iron County was put together by Dan Jessen rather than the commission and he should get the credit for the work. Mr. Monroe reported that the final draft of an Environmental Impact Statement (EIS) regarding the Pine Valley Water Supply Project had been approved through the local office, the State office, and the DC National Office. They had been waiting 3 weeks for a signature from one of the lead Bureau of Land Management (BLM) Officers. The National Environmental Policy Act (NEPA) that began in 1976, essentially stated that we needed to do a better job of scrutinizing potential impacts. Since that time, there had been many new laws and changes to the program. He stated that he felt that they had done a great job at taking a hard look and a doing a deep analysis on Pine Valley Project. Paul noted that since the last time he reported, the Government Measurement Plan was in place. With the significance of water issues in the basin, Cedar City alone could lose 80% of their water rights. Last year was the driest year on record in over 127 years of record-keeping, then we had the most significant monsoon flooding on record. The CICWCD was aware that there were water issues and they had been investigating solutions for decades. They had been working on the Pine Valley Water Supply Project for 16 years. Some local solutions were to balance the aquifer which included plans to develop some well fields further north in the basin so there wouldn't be such a draw from the south where there were significant water declines. In the last year the water levels were down 10 feet in many of the municipal wells, where previously the water levels would only drop 3 to 5 feet on average. He expressed his appreciation to Bruce Anderson and Preston Nelson who not only helped the community recover from the flooding, but they also helped develop other resources for our water. They had been willing to loan equipment and any assistance at Quichapa Lake so it was able to take water from the flash floods. He had taken water samples from the flood water and there was 40% or more sediment. He then analyzed the water to measure the Total Dissolved Solids (TDS). It was up to 3,000 TDS and safe drinking water TDS was 500 or below (which was also the TDS allowed in the aquifer). Not only did the flash floods bring down large trees and rocks the size of small a Volkswagen, it brought very nasty water that couldn't be filtered out. Paul reported that the Quichapa Lake recharge project could now pump water out and was an agricultural producer. All of the recharge projects had been cooperative efforts among all the local entities. He reported that the budget revenue was projected to be up 25-30% above what was originally budgeted. This was partially a result of the drought, but most was by exceeding the home construction that was budgeted for, and the majority was water usage by the Iron Mine. He noted that he was applying for a bond for a large capital project to develop water further north, and potentially west, and place a well in that area to help alleviate the water issue from the mine. The application was in for the bond, but it was on hold for the Federal Governments New Year which was October 1st. They were going through the United States Department of Agriculture (USDA) Rural Development site and could get 1.75% and a potentially a 30 to 45% grant. They would be installing 3 new water tanks: One 2M gallon water tank above Bridal Path subdivision that would increase the water pressure for the main populous that the CICWCD served, and provide larger storage; a 2M gallon water tank above Cross Hollows subdivision, and another one at Cedar Highlands. They would be concrete tanks and buried. Paul noted that agenda item #5, the Memorandum of Understanding (MOU) was to discuss plans to better utilize water. He explained that this was a great program that Natural Resources Conservation Service (NRCS) had. Through the MOU the CICWCD could receive 75% funding for construction, and they pay 100% of the environmental and engineering, and 25% would be "sweat equity." This was a long term planning process as a result of going through various government agencies. Paul reported that the CICWCD and Enoch City had passed the MOU, and it was on the Cedar City

Council Agenda also. Marilyn Wood noted that She and Paul Cozzens attended the Utah Association of Counties (UAC) Conference and they recognized Iron County for all of the recharge projects.

Marilyn Wood, Iron County Commissioner, reported that she and Paul Cozzens had attended the Utah Association of Counties (UAC) Conference held in Midway, Utah. It was a good conference and provided an opportunity to build valuable relationships with other County Commissioners. Congressman Burgess Owens was one of the speakers. William Perry Pendley, former Director of the BLM, also spoke. Marilyn explained that Mr. Pendley had served with President Ronald Reagan and President Donald Trump. He had worked effectively with environmental extremists and had written several books opposing government regulation of Western Lands. On the 20th, she went to Paragonah to look at their flood channel. Ted Cook had purchased property in Paragonah that was located in a flood zone, and the previous owner would not allow anything done on the property that would help ease some flooding issues. After Mr. Cook bought the property he told the town to do whatever needed to be done. There was a corner of his property that he gave permission to channel the water across and to use as much of the road that was needed to re-channel the flood water coming from the canyon. She commended Mr. Cook for giving up property to benefit Paragonah Town. On the 24th, she and Paul Cozzens, and Michael Bleak had attended a Redistricting Hearing where she and Paul were able to speak. Paul talked about the importance of Rural Utah being represented equally. She expressed her concern of the possibility of losing Congressman Chris Stewart through redistricting. He was a great advocate for ranchers in Rural Utah and it would be a great loss to lose him. Marilyn reported that on the 25th, she had attended a program held at the Three Peaks Recreation area. The BLM turned the deed for the recreational area over to Iron County, which she took to the Recorder's Office today. Former Commissioner, Lois Bulloch, had begun this process and Maria Twitchell, Parks & Recreation Executive Director, had put together a great program and named one of the large pavilions the "Lois Bulloch Pavilion" in her honor.

Paul Cozzens, Iron County Commissioner, reported that he had attended a Community Development Block Grant (CDBG) board meeting, which he was now a member of. The CDBG Board administered the U.S. Department of Housing and Urban Development (HUD) disbursement of monies for community development. Iron County applied for \$200K of CDBG funding for the new Newcastle Fire Station, and was awarded the grant. When the board reviewed the requests they rate the requests by importance when administering the funding. Paul noted that the Iron County Fair Bleachers had been torn down. He had taken some photos of the very rotten wood that patrons had been sitting on, and it was well past time for them to be razed. Carter Enterprises, Inc. would be erecting a metal structure on the existing 50 x 70 foot concrete pad that was poured before the Iron County Fair. Preston Nelson, Roads Superintendent, would be preparing the area for the new bleachers this week. Carter Enterprises, Inc. would come and pour the slab and erect the structure. Southern Bleacher Company would come and install the bleachers in November or December. Paul noted that there had been a great deal of interest in the Iron County Fair with record turnout the last few years. This year there were some tickets refunded as a result of overcrowding in the Grandstand area. As a Commission, they had many discussions and a general plan for the fairgrounds would need to be made. They had met with Parowan City and had had negotiations to assume operation of the Fairgrounds due to Iron County having more resources to improve and maintain them. Parowan City's largest concern was that they did not want the fairgrounds to ever be moved from Parowan. Paul noted that Iron County assured Parowan City that they would never move the fairgrounds. There were repairs that needed to be done and Iron County had more resources to take care of the fairgrounds. There were discussions about removing the race track, increasing seating, and increasing parking. Paul had attended the Quilting Guild held in the basement of the new Cedar City Senior Center last week. There were over 100 people there stitching quilts and he was pleased to see the facility being used. The Public & Behavioral Health Board of the 5 County Association, (Beaver, Garfield, Kane, Washington and Iron County) had discussed restructuring the program and he would report on details as they developed.

Michael Bleak, Iron County Commissioner, reported that he was not able to attend the UAC Conference because of prior commitments. Mike reported that Southern Utah University (SUU) had hosted the 1st Lady of the Democratic Republic of Congo, Denise Tshisekedi. He explained that she had a Foundation in The Congo that identified gifted children who would benefit from scholarships to pursue a higher education. SUU was one of the colleges chosen and would receive 5 students from Democratic Republic of Congo. The 1st Lady was there to show her appreciation to SUU and to show support for the students from The Congo. He met with First Lady Tshisekedi and expressed his appreciation on behalf of Iron County for her commitment to higher education. He attended the Redistricting Hearing on Friday. He also attended an event in Northern Utah with Legislature Representative Paul Ray, the Chairman of the Redistricting Committee. Mike explained that after a Census Count the Legislature evaluated new population centers and that the representation was equal throughout the different districts. The commissioners encouraged Representative Ray to come and present the Redistricting Hearing at SUU. Iron County hosted a dinner for the Legislators after the event. All the elected officials and councils from the different municipalities were invited to the event. The turnout was small and that gave them the chance to sit and talk with some of the Representative and reinforce the fact that we really needed Rural Representation and praised Congressman Stewart for all that he had done for Rural Utah.

PUBLIC COMMENTS

Paul Davis, Kanarrville Irrigation Company, reported that there was a culvert on Kanarra Mountain Road that kept filling with rocks after rain storms. The Irrigation Company would like the Road Department to determine whether the culvert could be moved further to the west, or find another solution so that the water would not spill out and cover Highway 91. Mike Coronado, Stock Holder with the Irrigation Company, called him and reported that he had previously talked with the Iron County Commissioners and relayed that the flood control on the north end was Iron County's responsibility and not the company's. He noted that Iron County had been involved with the flood control situation in that area for a long time and felt that Iron County was still responsible. The Irrigation Company owned 9.2 Cubic Feet per Second (CFS) and anything above that is the responsibility of Iron County. As far as the Irrigation Company was concerned, the value of anything above the 9.2 CFS was not their water, so the company was not causing the problem. Paul reported that the Irrigation Company Board recognized that Iron County was not allowed on the property in the past, because of a certain property owner. This was a safety issue and with the strong possibility of flooding in the future they would requested that Iron County fix the dike. Paul Cozzens noted that while he and Marilyn were in Kanarrville for a Viewing, they stopped after and looked at the ditch. He reported that the challenge was being allowed to remove the trees along the east side of the ditch so an excavator could adequately fix the problem. Paul Davis noted that he knew the property owner and didn't know if he could convince him to allow the trees to be removed, but he would try. Records show that Iron County had maintained the flood channel in the past. Marilyn Wood noted that she was concerned that if someone was driving down the road and it had washed out, it could create a dangerous situation. Michael Bleak reported that he drove down that road during the monsoon, at 3:00 to 4:00 a.m. and it was raining so hard that he could not see. He hit that part of the road and was lucky that, although he hydroplaned, he was able to navigate it safely. He agreed that is was a dangerous area. Marilyn Wood noted that they were aware of the issue and would look into it.

William Pressgrove, a citizen of Iron County, reported that he had a word of admonition for the commissioners. He explained that the country was trillions of dollars in debt, and yet the Federal Government continued to throw out grant money, or a fishing line, to get to states and local government to buy into their way of "do it our way" kind of attitude. Bill reported that he had talked with Senator Evan Vickers regarding the \$1.3 Billion that the government was going to give each state and told him that we should not take it. Senator Vickers replied that "if the states did not take it someone else would." The State of Utah needs to set an example that it would not "cop out" every time the government offered money. Iron County could do the same

thing. Whenever money was accepted from the Federal Government there were always strings attached, and we end up having to do things their way. We need to be in control of our county and not under the control of the Federal Government.

Riley Clark, a citizen of Iron County, explained that he was aware that Iron County was fully aware and confident of all the damage that the recent flooding caused. He expressed his appreciation for all that the county and citizens had done to assist those that were affected by the flooding. His concern was that Iron County was not planning for prevention of future flooding. Riley explained that before moving to Iron County he worked as a Civil Engineer with a specialty in Hydrology and Hydraulics. Hydrology was the study of transforming rainfall amount into quality of runoff and Hydraulics was the study of the motion of liquids. Anytime a project was constructed a Hydrology report must be done so the amount of water going through the project was reported. The Federal Emergency Management Agency (FEMA) standards for the most common design was for a 100-year storm. He noted that it was his understanding that Iron County did not have a Hydrology Manual and no Hydrology Plan. A hydrology plan works in 2 different ways: 1. The private developers preparing for the storm waters going through their development; 2. The county planning for the storm drain channels. Mr. Clark encouraged Iron County to adopt Hydrology standards, to develop a Hydrology Manual, and require that a hydrology report be completed. He offered his assistance to help Iron County with any questions and to volunteer his time to help the county to move forward. Marilyn Wood asked Mr. Clark if he would give his contact information to Jon Whittaker. Paul Cozzens suggested he meet with Reed Erickson and Richard Wilson. Michael Bleak reported that the National Weather Service reported the Monsoonal flooding was a 1000-year flood.

Kenneth Bauer, a citizen of Enoch City, explained that after flooding in 2012 Enoch City spent approximately \$1.5M and installed a pipe on Utah Trail to alleviate all the flooding issues and reported that they would never see another flood like that one. Kenneth stated that they got that right because the one that Enoch City just received was worse. He reported that his wife was on the internet and discovered that Iron County received an average of 13" of rain a year. In 9 days, Iron County received 15" of rain. No one could plan for that much water. When the Lord sent the rain, He sent it and there was not much that could be done but to deal with it and move on. Everyone did the best that they could to assist others and that he was proud to be a member of the community.

Dave Mineer, Color Country Tree Service, LLC, explained that he and his son owned a Commercial Tree company and only took tree limbs, branches, stumps, out to the landfill and paid the same fees as any commercial contractor. His concern was the Landfill ground the wood into chips and sawdust and felt that it may be warranted to have a lower fee for a small wood pile. If you were a commercial contractor you were charged by weight, no matter what was brought in. Marilyn Wood reported that most of the weight was done by cubic yard, with commercial being higher. Dave noted that the fee should be based on what was being brought into the Landfill. Marilyn Wood stated that she would talk with Bruce Anderson, Landfill Director, to see if there was another option.

Scott Stubbs, Public Lands Council, reported that he was appointed to be on the Grazing Committee in January, and he held a meeting once a month. He had learned that the Public Land Council had been around since 1968. The purpose was to keep grazers on land and provide access to public lands. Utah was one of the states that make up the Public Lands Council. Scott explained that he began sharing information with friends in the Farm Bureau grazing group and they began to ask how they could become a member. When he went to find information on membership he was made aware that Utah was about to be kicked out of the Public Lands Council for not paying the dues. The previous dues had been paid through the BLM Advisory Board Funds which was a portion of the grazing fees collected for range betterment. Around 2000, the BLM no longer had an Advisory Board so the State Gift Program picked up the fees and added it to Land and Range improvements. Last year the Gift Program was audited and the State of Utah won't pay the dues to the Public Lands Council. Nationally, the Public Lands Council was well organized but it wasn't organized in Utah and the grazers did not know that they could use their assistance when they had any issues. Mr. Stubbs reported that he asked for

an extension through the month of October to come up with the \$25K dues. He had approached Iron County and the surrounding counties asking them for \$1,000, a one-time donation for Utah's dues for the Public Lands Council. The counties that he met with had each pledged the \$1,000 to help. He noted that after the council was "well" organized in Utah, Iron County was welcome to join. It was important to the counties and the grazers to know the Public Lands Council existed and was there to help them. Michael Bleak asked him to meet with Jon Whittaker to place it on the next agenda. Jon Whittaker gathered enough information from Scott to have the item placed on the next agenda for the Utah membership into the Public Lands Council.

PROCLAMATION 2021-1 PROCLAIMING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

Paul Cozzens made a motion to approve Proclamation 2021-1 proclaiming October as Domestic Violence Awareness Month Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY PROCLAMATION 2021-1

A PROCLAMATION THAT THE MONTH OF OCTOBER TO BE "DOMESTIC VIOLENCE AWARENESS MONTH.

Whereas, in the United States, October is recognized as "Domestic Violence Awareness Month" (DVAM). The goal of DVAM is to raise public awareness about domestic violence and educate communities on how to prevent it; and

Whereas, 1 in 3 women and 1 in 5 men will experience stalking, physical or sexual abuse from an intimate partner – a statistic that does not include those who experience verbal and emotional abuse from an intimate partner; and

Whereas, Canyon Creek Services is a local, non-profit advocacy organization that provides free, confidential services to survivors of domestic violence and sexual assault as well as community education and prevention programming. Last fiscal year, CCS served 739 survivors. The need to prevent domestic violence in our area is evident; and

Whereas, the safety and well-being of members of our community is of utmost importance and domestic violence can affect someone regardless of age, race, religion, or economic status and affect children, families, and the health of our community; and

Whereas, Domestic Violence Awareness Month calls attention to the fact that domestic violence is widespread and impacts our entire community;

NOW THEREFORE, The County Commission of Iron County does join with Canyon Creek Services Violence Prevention Coalition as well as with advocates and communities across the United States in taking action to prevent domestic violence. We do hereby proclaim October as:

Domestic Violence Awareness Month

And reaffirm Iron County's commitment to ending domestic violence in our community this month and every day. Together, we can create Communities Free of Domestic Violence and Sexual Assault.

APPROVED and ADOPTED this 27th day of September, 2021.

IRON COUNTY COMMISSION


Michael P. Bleak, Commission Chairman

ATTEST:


Jonathan T. Whitaker, Iron County Clerk



Voting:

Michael P. Bleak Aye
Paul Cozzens Aye
Marilyn Wood Aye

DISCUSSION AND POSSIBLE APPROVAL OF A COMMUNICATION USE SITE LEASE, PRIVATE MOBILE RADIO SERVICE WITH THE BUREAU OF LAND MANAGEMENT (BLM) FOR THE LEASE SITE OF THE SW 1/4 SECTION 15, LOTS 1-3 SECTION 22, T34S, R10W, SLB&M. LEASE TERMINATES DECEMBER 31, 2051.

Jon Whittaker explained that this was an ongoing lease with the BLM. The Private Mobile Radio Service covered the law enforcement, emergency, and television sites that were used.

Marilyn Wood made a motion to approve a Communication Use Site Lease, private Mobile Radio site of the SW 1/4 Section 15, Lots 1-3 Section 22, T34S, R10W, SLB&M. Second by Paul Cozzens. Voting: Michael Bleak, Aye;

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED MEMORANDUM OF UNDERSTANDING (MOU) TO INCLUDE CEDAR CITY, ENOCH CITY AND THE CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT (CICWCD) TO PARTICIPATE WITH IRON COUNTY AS CO-SPONSORS IN THE IRON COUNTY NATURAL RESOURCE CONSERVATION SERVICE (NRCS) GRANT TO STUDY WATER RESOURCES AND WASTEWATER EFFLUENT RE-USE RELATED TO THE COAL CREEK DRAINAGE STUDY

Reed Erickson, Iron County Planner, explained that this grant was contracted to Bowen Collins to study flooding in Iron County. Mr. Collins previously conducted the water study for upper Coal Creek, for Cedar City and this would be for lower Coal Creek. The water study was similar to what Mr. Clark previously explained on hydrology during the public comments. Reed reported that there were currently several contracts to study the hydrology and hydraulics of flood capacity and design through the flood channels. The Coal Creek Flood Channel Design (upper) was for 5,200 CFM and the Stevensville Ditch (lower) was for 3,700 CFM. Reed reported that the study would help Iron County know where the water would go, how much water, what to do with the water, and how to account for other subdivisions, and calculate how much capacity would need to be built into the flood channel. When discussing the matter with NRCS, Cedar City, Enoch City and the CICWCD, he explained that the desire was to utilize the effluent from Cedar City's sewage treatment plant, and to better utilize it for the capacity recharge. The previous MOU did not include any recharge plan, but other areas needed to be studied for use and utilized.

Paul Cozzens made a motion to approve the MOU to include Cedar City, Enoch City and the CICWCD to participate with Iron County as co-sponsors in the Iron County Natural Resource Conservation Service Grant to study water resources and wastewater effluent re-use related to the Coal Creek Drainage Study. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource Director, presented Kendall Allan as the Full-time GIS Coordinator in the Information Technology (IT) Department, effective date October 4th. This was a backfill of a vacant position. Marilyn Wood made a motion to approve Kendall Allan as the Full-time GIS Coordinator in the Information Technology (IT) Department, effective date October 4th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented a request to re-locate a K-9 from Patrol to Corrections and a stipend pay to a Corrections Deputy K-9 Handler upon special assignment from the Iron County Sheriff. The stipend would not affect the budget and would cover the deputy training and K-9 care. Shalon Shaver, Corrections Commander, explained that the current K-9 had developed severe vehicle anxiety and could no longer ride in a vehicle. Sheriff Carpenter had asked her if the K-9 could be utilized in the jail. The K-9 would be utilized to help with drugs being smuggled in and with any uncompliant inmate. Specifics would be established and she would need to find a K-9 Handler and have him trained. It took 320 hours of training to certify as a K-9 Handler. The \$420 stipend would be for training and the care of the K-9. It would be a great

benefit for corrections and a morale booster also. She reported that the Sheriff Office had another K-9 to replace him. Paul Cozzens made a motion to approve the request to re-locate K-9 from Patrol to Corrections, a stipend pay the training of the Correction Deputy K-9 Handler and the care of the K-9. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the promotion of Dave Mitchell from Administrative Sergeant to Interim Lieutenant with corresponding pay effective date September 19th. Marilyn Wood made a motion to approve the promotion of Dave Mitchell from Administrative Sergeant to Interim Lieutenant with corresponding pay, effective date September 19th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF TAX CREDIT FOR PERSONAL PROPERTY TAXES FOR 2022 DUE TO OVERPAYMENT OF 2020 PERSONAL PROPERTY TAXES FOR PHAZE CONCRETE INC. NOTICE: PART OF THIS DISCUSSION MAY BE CLOSED PER UCA§52-5-205(k) – DISCUSSING PERSONAL PROPERTY

Jon Whittaker explained that the commissioners did not need to enter into a closed session because the specific information was supplied, as requested, when the motion was made to bring the agenda item to this commission meeting. The property tax overpayment was for \$2,826.04.

Paul Cozzens made a motion to approve a tax credit for personal property taxes for 2022 due to overpayment of 2020 personal property taxes for Phaze Concrete, Inc. in the amount of \$2,826.04. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF TAX CREDIT FOR PERSONAL PROPERTY TAXES FOR 2022 DUE TO OVERPAYMENT OF 2020 PERSONAL PROPERTY TAXES FOR GAF CORPORATION. NOTICE: PART OF THIS DISCUSSION MAY BE CLOSED PER UCA§52-5-205(k) – DISCUSSING PERSONAL PROPERTY

Jon Whittaker explained that the agenda item was the same situation as the previous agenda item, with the change being for GAF Corporation in the amount of \$208,777.17

Marilyn Wood made a motion to approve a tax credit for personal property taxes for 2022 due to overpayment of 2020 personal property taxes for Phaze Concrete, Inc. in the amount of \$208,777.17. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-Delegated items were presented.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael Bleak, Commission Chair


Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
OCTOBER 11, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. October 11, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Karsten Reed	County Assessor
Sam Woodall	County Deputy Attorney
Dan Jessen	County Auditor
Joyce Evans	County Fair Director
Wade Adams	County Fleet Manager
Jennifer Bradbury	County HR Director
Jared Wilson	County Information Technology
Reed Erickson	County Planner
Carri Jeffries	County Recorder
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT12

ANNEXATION INTO PAROWAN CITY REGARDING APN: C-971-36

APPROVAL OF CLAIMS FOR PAYMENT2

APPROVAL OF MINUTES2

CLOSED SESSION.....12

DEPARTMENTAL REPORTS.....2

GRANT TO SUPPORT UTAH’S MEMBERSHIP IN PUBLIC LANDS COUNCIL6

INCOVATION9

MID-YEAR TAX EMPTIONS FOR APN: B-524 & B-5859

NON-DELEGATED ITEMS.....11

PARTIAL VACATE & AMENDED PLAT, PARKS AT DEER HOLLOW6

PERSONNEL10

PLEDGE OF ALLEGIANCE.....2

PUBLIC COMMENTS5

RECOMMENDATIONS FOR BOARD OF EQUALIZATION (BOE)10

REDISTRICTING PROCESS IN IRON COUNTY10
 RESOLUTION 2021-9, JAIL FACILITY PROJECT-REIMBURSEMENT7
 TAX ABATEMENTS FOR THE 2021 TAX YEAR.....9
 UTAH DISASTER ASSISTANCE FROM SMALL BUSINESS ADMINISTRATION9
 VEHICLES TO BE SOLD ON THE PUBLIC SURPLUS WEB SITE9
 VEHICLE TRANSFERS FROM SHERIFF DEPARTMENT TO LANDFILL9

PLEGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Marilyn Wood.

INVOCATION

An invocation was offered by Paul Cozzens.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held September 27, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM

Marilyn Wood made a motion to approve Claims for Payment for September 27, 2021 through October 10, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Karsten Reed, Iron County Assessor, explained that he would present an overview of the Iron County Assessor’s Office from 2021 as this would be the last report for this year. Karsten reported that five members of his staff had either retired or left under attrition, which was a significant number for the size of his office. As a result, there was a lot of training that had to be done with the new hires and office changes. The budget would be over for training but there would be approximately a savings of \$100 per hour in salaries as a result of cross-training and organizational structure. Karsten noted that he had anticipated continual significant growth in Iron County. This would be a burden to the Assessor’s Office because of the ratio of workers to parcels in Iron County. He attended an Assessor’s Conference where they reported that technology improvements would be able manage growth. New technology programs would help streamline processes. The Assessor’s Office would be converting to the state software program that was being developed by the State Tax Commission in 2022. Karsten expressed his appreciation for support from the commissioners during the past year. He noted that Nicole Rosenberg, Iron County Treasurer, offered one of her staff members to cross train with Personal Property which would be beneficial to both departments and alleviated the need to hire another employee. Paul Cozzens asked Karsten if the state software program would be a new program. Karsten reported that the Tax Commission had been developing the program for several years and hadn’t been able to move forward to have it in each county. He volunteered Iron County to be on top of the list to have the software installed. Marilyn Wood expressed her appreciation for all that Karsten had accomplished and the commissioners all had faith in his abilities moving forward. Michal Bleak and Paul Cozzens agreed with Marilyn Wood.

Joyce Evans, Iron County Fair Director, expressed her appreciation for the tremendous support from the commissioners for the Iron County Fair. The fair would not be successful without their support. Joyce reported that, based on her knowledge, the Iron County Fair attendance was the largest it had ever been. She noted that she did not know if the crowds would ever decrease due to continued growth in Iron County. The final financial tally was not available as there were approximately \$6K to \$7K still to be collected. Joyce noted that all the arena events had an increase in collections. The Demolition Derby, Mud Bog, and Little Buckaroo all

made a profit. The Rodeo did not go into the hole thanks to help from their wonderful sponsors. The Carnival almost doubled in attendance and revenues compared to previous years. She reported that the Iron County Fair received \$34K in ticket sales. The Carnival workers were unhappy because the internet went down on Saturday night, and they lost between \$15K - \$20K in revenues. The old grandstands had been demolished and the area was prepared for new bleachers. The new bleachers would provide approximately 600 additional seats, but with continued growth, that might not be enough to accommodate the crowds. The Fair staff had continued to explore additional parking areas, because existing parking areas were not adequate for the crowds. She hoped to expand the front part of the Fairgrounds for additional parking. Joyce noted that she was applying for a T-Mobile Grant for "Rural Technology Improvements" which would help increase internet capability. South Central had been to the Fairgrounds last week and disclosed that fiber optics were in the Fair building, but as a result of all the metal going out to the Fair Arena it was not producing like it should. There would need to be a live line going out to the Fair Arena, not just Wi-Fi. The bandwidth was being shared between vendors, arena, and guest users and it was often slow. Marilyn Wood asked when Joyce would know the result of the grant approval. Joyce reported that she had not applied for the grant yet, because it had to be a "shovel ready" grant. There were many items that she had to include in the grant and would take some time. She noted that grant monies awarded would be between \$50K and \$3M. Paul Cozzens asked if T-Mobile would set up a tower. Joyce reported that she did not know for sure, but a line would probably be buried underground from the Fair Building out to a power pole on the west side and they would proceed from there for more Wi-Fi. Michael Bleak stated that he enjoyed working with and for the fair. The commissioners all expressed their appreciation to Joyce for all the labor/hours that she put in for the Iron County Fair to be a success.

Jared Wilson, Iron County Information Technology (IT) Director, explained that he could expand on comments from Karsten Reed and Joyce Evans regarding internet services. South Central would bring an engineer with them to the fairgrounds and they would do a layout of the location and design the system to prevent "dead zones." Once the engineer completed the layout there would be well working conditions. South Central would bury the line where needed and place the line above the ground where they could. When the study and work were complete there should be no problems with connections at the Fairgrounds. He reported that if the grant was awarded South Central could begin work and have the Fairgrounds ready for the 2022 Iron County Fair. Jared explained that the software program that Karsten Reed had mentioned was called "PUMA" (Premier Utah Mass Appraisal). It was a web-based system that provided an online database to allow users to access reports remotely without the need for any software and to identify and correct problems sooner. The transition would require a lot of hours to get it up and running. Jared reported that the budget was on track. Over the last three months, the IT Department had upgraded a couple of servers, a financial server was upgraded, updated Spellman, and updated firewalls. The new Geographic Information Systems (GIS) employee had been hired and was doing well. All scanners had been placed in the Assessor's Office,

Carri Jeffries, Iron County Recorder, noted that there were 5,894 Recordings, 1,982 Transfers, 18 Subdivisions (52 Subdivisions since January 1st), and 1,442 new Parcels had been created since January 1st. The Total Revenue for the 3rd Quarter was \$241,314 and the budget was on track at 75% spent. Carri expressed her appreciation to Jared Wilson for his support for transferring the Parcel Fabric program onto their servers. She and her staff had been training for two months on the program. She reported that the new GIS employee, Kendal Allan, was attending the trainings with them and would be a great asset to the IT Department and the Recorder's Office.

Nicole Rosenberg, Iron County Treasurer, reported that the total Product Sales from January 1st through October 8th was \$17,271,104.68, Pooled Cash was 52,367,796.06, Funds Distributed to Iron County was \$2,580,237.97. Nicole noted that Moreton Asset Management presented the Public Treasurers Investment Fund (PTIF) report quarterly. The PTIF rate had decreased drastically to 0.32% from 1.63% in March 2020. The Approximate Interest Rate with

Moreton was 0.92%, Average Funds Invested was \$12,326,916, Net Income (after fees) was \$238,887.32 and Approximate Differential in Interest earned was \$123,917.95 (if left in the PTIF). She reported that the Treasurer's Office had billed out 44,852,287 Property Taxes. The extract had been sent to the printer and they would report the mailing date to her. Nicole explained that she would notify all the departments in the courthouse when that date would be. Outstanding taxes, before the notices were sent out, was \$5.576M. The budget was on track, but it might change next month due to tax notices being sent out. She expressed her appreciation to Paul Cozzens for the addition to the counter in the Treasurer's Office. Nicole also expressed her appreciation to her staff, the Seasonal workers that help during tax season, and to the commissioners.

Marilyn Wood, Iron County Commissioner, reported that she attended the Utah Summit held at Southern Utah University (SUU) last week. She was able to obtain some helpful information and it was always great to be able to network with the other County Commissioners. Marilyn reported that there had been a special meeting with Senator Chris Stewart along with two other Senators that discussed the challenges with the current administration and public land issues. The Iron County Road Department continued with cleanup from the monsoon flooding. Preston Nelson, Roads Supervisor, had to take a break to complete work that was scheduled before the snow began to fall. He would soon be able to return to collecting the sediment that was being place along the roads from the ongoing flood clean up in the Flying L. Ranch area.

Paul Cozzens, Iron County Commissioner, reported that work had begun on a new Newcastle Fire Station addition. The Community Impact Board (CIB) reached out to the commissioners noting that bids for projects were being received at higher prices than expected. He drove to Salt Lake City on Thursday and requested an addition of \$100K (in case the original Fire Station budget was exceeded) to the previous \$400K requested. He explained that the advantage to the loan was it was a 50% loan at 1% interest with a 50% CIB grant. He didn't anticipate going over the budget, but with the economy it would be a cushion if prices changed. Paul reported that there had been some positive action regarding the Inland Port project. He attended his first Groundwater Management Plan Committee meeting for Parowan Valley. They met with the State Engineer and their staff last week to discuss a Groundwater Management Plan for Parowan Valley. The Parowan Pumpers had asked Paul to be a part of the committee. Paul noted that he appreciated Joyce Evans and the hard work she puts into the Iron County Fair. He reported that he had spoken with Carter Enterprises, Inc. and the metal building should be delivered in a week or two. The Southern Bleacher Company reported that they would be able to hold the bleachers in their facility for now, but that Iron County would need to find a place to store them where they could stay dry.

Michael Bleak, Iron County Commissioner, reported that he had been working alongside Economic Development especially regarding the Inland Port Project. Last week all members (from the Directors to the Engineers) of the Inland Port Authority and Economic Development were in Cedar City for a meeting. The meeting was very productive, and they were all supportive of Cedar City as a Satellite Port and were trying to expedite the process to move forward. Mike explained that the Inland Port would be a great benefit to Iron County with additions to the rail spurs, trans loading, off-loading, and facilities. This was a great example of a public/private Partnership. There were several manufacturers, developers, representatives from Port Authority, that were working together on the project. He noted that it was not just a governmental project but a regional project working closely with Washington County and the 5 County Association of Governments (5 County). The Inland Port would be a benefit to the whole Southern Region. Iron County was poised for the project because of railroads, an airport, and I-15. Mike reported that the fire season was at an end and rain and flooding cut the season short, which was a good thing. He noted that Iron County was beginning to see spring-like growth and conditions and unless Iron County experienced a good snowpack during the winter, conditions would quickly dry out and high fire danger would return next summer. He explained that Ryan Riddle, Iron County Fire Warren, reported that there were 180 fire mitigation projects lined up for the next year.

PUBLIC COMMENTS

Randy Cagle, Flying L Ranch Subdivision, reported that last Wednesday, the Cedar City Council reactivated annexation of the Coronado Parcel. A question came up regarding whether the Iron County Commission would rehear that item. He stated that during the previous attempt of the annexation process there was a lack of notification to Iron County residents of the annexation. He noted that it would be in the best interest of Iron County to have the issue republished and presented once more at the county level.

Richard Russo, Flying L Ranch, Phase I Subdivision, reported that he had been pleased with the Road Department removing all the sediment from his subdivision as a result of the Monsoon flooding. He understood that it had been a monumental task with over 250 truckloads of sediment and debris taken out around the clock for the last seven weeks. Richard explained that when the sediment was removed from the side rail swales, the existing drainage pattern had not been replaced. Originally, throughout the entire subdivision of Phase I, there was lands stake gravel in the ditches, which had all been removed. There were sections where the ditch was lower than it was originally and the flow pattern, to the north, no longer existed. Mr. Russo asked if Iron County was planning on re-establishing the ditch grade lines. He explained that he had noticed a washout that was occurring at a box culvert at 3000 N in the irrigation canal that ran on the east side of Flying L Phase I. This was so significant that it had extended approximately 30 feet and was beginning to take out the fence in the park area that was in Flying L, Phase I. A telephone box that was in that area had been washed away and was suspended in mid-air and needed to be looked at. Jon Whittaker asked Mr. Russo if he was speaking about the Stevensville Ditch. Mr. Russo reported that it was the far north, east corner of Flying L, Phase I on the south side of 3000 N.

Dan Jessen, a citizen of Iron County, reported that the storm drain was not designed to empty into the storm canal at Flying L, Phase I. As a result of the Monsoon flooding debris on 3000 N dammed up the canal. There was one small 14-inch culvert that crossed 3000 N, but was significantly west of Flying L. The canal needed to be redesigned to run storm water east into the Stevensville Ditch. All of Phase I would drain into 3000 North. There was an attempt to flow the water across 3000 N, but that would only push the water downhill to whatever subdivision would be built in that area.

Tyler Allred, a resident of Kanarraville Town, reported that he was concerned with the Kanarraville Flood Dike located through Raymond Prestwich's property. Last week as a result of a rainstorm on the mountain, water came down and filled the irrigation diversion. Anything that did not enter the irrigation diversion spilled over and headed to the flood dike. Tyler explained that Friday night, John Williams (Iron County Employee), drove through and realized the water was bringing dirt and debris onto Hwy 91. John was able to keep the water and debris from coming onto the road. Tyler noted that he had used his own backhoe and cleared 6 to 10 inches of dirt and sand off of Hwy 91. For public safety, the dike needed to be repaired on Mr. Prestwich's property. He noted that Mr. Prestwich did not want anyone doing work on it because he did not want any of his cottonwood trees removed. Mr. Prestwich had cleaned the dike out once in the last 10 years. Marilyn Wood noted that she too was worried about that section of Hwy 91. Something needed to be done before someone was seriously hurt. Paul Cozzens asked Mr. Allred if the dike would need to berm up the sides to allow the water to flow to the north and drop down under the culvert. Tyler replied yes and reported that the culvert was built by the Army Corps of Engineers in the 1930's for flood mitigation purposes. The culvert needed to be cleaned and widened beginning on Bureau of Land Management (BLM) property down to Hwy 91. All property owners, except for Mr. Prestwich, approved anyone coming onto their property to fix the dike. Tyler explained that water from the Upper and Lower Basin on Kanarra Mountain flowed into Hogs Creek, turns down into Kanarra Falls, down to Kanarraville Creek, North of Kanarraville to Hwy 91. The high water belonged to Washington County Water Conservancy District, heads to Ash Creek then south.

DISCUSSION AND POSSIBLE APPROVAL OF A \$1,000 GRANT TO SUPPORT UTAH'S MEMBERSHIP IN PUBLIC LANDS COUNCIL

Marilyn Wood, Iron County Commissioner, explained that she, the agriculture community, and organizations met with Kaitlynn Grover of the Public Lands Council, and the Cattlemen's Association was paying that and did not feel it should come out of their funds. Scott Stubbs, member of the Grazing Committee on the local Public Lands Council, discovered that Utah had not paid their dues to the Public Lands Council and was close to being kicked off. Mr. Stubbs requested an extension through the month of October to come up with \$25K dues for Utah to continue to be on the Public Lands Council in Washington D.C. Marilyn reported that Mr. Stubbs had approached several surrounding counties to ask for a one-time donation to help pay the dues to the Public Lands Council. She explained that the Public Lands Council was based in Washington, D.C and had chapters in most states. Utah was a member of that Council and it was important to inform local grazers that the Public Lands Council existed for them when litigation assistance or help was needed. Scott Stubbs spoke during public comments at the last commission meeting and requested help from Iron County. This would be a one-time donation and the dues would be paid by the ranchers through an Animal Unit Months (AUM) basis moving forward. Beaver and Washington County had donated \$2,000. The Utah Public Lands Council was not well organized, but was beginning the steps to becoming a better, well-organized council. Paul Cozzens made a motion for approval to support Utah's membership in the Public Lands Council for a one-time contribution of \$2,000. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A PARTIAL VACATE AND AMENDED PLAT. LOTS 13-14, THE PARKS AT DEER HOLLOW SUBDIVISION, PHASE I, 1879 W & 1861 W 4750 N, CEDAR CITY, IRON COUNTY, UT. LOCATED IN SECTION 15, T35S, R11W, SLB&M

Reed Erickson, Iron County Planner, explained that this was to move the Lot Line between two existing lots in the Parks at Deer Hollow Subdivision. Under new Legislature Law, any "Lot Line adjustment" now had to be presented through a Partial Vacate and Amended Plat which required approval of the Iron County Commission. Marilyn Wood made a motion to approve a partial Vacate and Amended Plat, Lots 13-14, The Parks at Deer Hollow Subdivision, Phase I at 1879 W & 1861 W 4750 North, Cedar City, UT located in Section 15, T35S, R11W, SLB&M, based on review and with findings. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION OF AN ANNEXATION INTO PAROWAN CITY. PROPOSED ANNEXATION PLAT FOR EVIL WATER LAND, LLC. LEAVING AN ISLAND OR PENINSULA OF UNINCORPORATED. MUST BE AGREED BY CITY AND COUNTY PER UCA-10-2-402 (1)(b)(iii)

Reed Erickson, Iron County Planner, acknowledged that the applicant, Scott Fotheringham, was present and appreciated their help with the process of the annexation. Reed explained that this would be the first presentation for this annexation process under new Legislative Laws. The new annexation process required earlier notification, which was a benefit as more residents would be notified earlier in the process. He reported that this particular annexation would leave a peninsula. A peninsula was "an area surrounded on more than ½ of its boundary distance, but not completely by incorporated territory and situated so that the length of a line drawn across the unincorporated area from an incorporated area to an incorporated area on the opposite side shall be less than 25% of the total aggregate boundaries of the unincorporated area." Reed noted that this proposed annexation was only 17% and therefore for the annexation to be approved it had to be agreed upon by both the Parowan City and Iron County. The challenge was when should the county make that decision in this process. When the applicant petitioned the city to annex they did not submit the petition but a "Notice of Intent to Annex." It required the County Clerk to send notices out to property owners within 300 feet of the annexation area. After it was certified that the notices had been sent, a petition would then be

submitted to the city, who accepted the petition, then a protest period where the city must send out notices of the proposed annexation to all property owners within a ½ mile of the annexation area. Reed noted that that a decision would need to be made as to where the county would step into the process. This application was presented to the commission for approval and agreement for the property to be annexed into Parowan City. A partial lot adjustment had been done to blend two lots into one. Reed reported that the Iron County Planning Commission recommended approval of the annexation. Although it would leave a peninsula, it would provide a road to the area and there was no other road that provided access.

Geoffrey Chesnut, representative of Evil Water Land, LLC, expressed his appreciation to Reed Erickson and Jon Whittaker for their efforts on this proposed annexation. It was a complicated issue, and he was appreciative of any help offered. He noted that Evil Water Land LLC had been meeting with Parowan City and that the annexation was on the Parowan City Council agenda on October 14th. Mr. Chesnut reported that all property owners on the south boundary of the property had approved the annexation. There had been many discussions regarding the annexation with the homeowners and one concern was the road. The road was on the master plan on the East and Parowan had approved the road. Mr. Chesnut expressed his appreciation to Reed Erickson for taking the annexation seriously and the assistance and knowledge that helped implement the annexation to move forward. All deeds had been executed and Evil Water Land, LLC wanted to be good neighbors and had made a substantial effort to maintain that. Randy Cagle asked Reed Erickson what the land uses would be. Reed explained that the parcel was currently zoned R-1 (Residential) for Iron County and the intent for Parowan City was also residential. The zoning request would be for Commercial zoning with the intent of constructing a nice park and camp area on the frontage. Paul Cozzens made a motion to approve the annexation plat into Parowan City for Evil Water Land, LLC. leaving an island or peninsula of unincorporated, regarding APN: C-971-3. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2021-9, A RESOLUTION OF THE COUNTY COMMISSION OF IRON COUNTY, UTAH DECLARING ITS INTENTION TO REIMBURSE ITSELF FOR EXPENDITURES INCURRED IN CONNECTION WITH THE JAIL FACILITY PROJECT WITH PROCEEDS OF BONDS THAT IT INTENDS TO ISSUE; AND RELATED MATTERS

Dan Jessen, Iron County Auditor, explained Iron County was in the beginning stages of building a new Jail Facility. Zion's Public Finance, Iron County Municipal Advisor, recommended that the county adopt this resolution. The resolution gave Iron County the ability to capture expenses that were spent from this time moving forward and count it towards financing the facility. An Engineer was hired to perform a Feasibility Study, and such expenditures could be reimbursed. Marilyn Wood made a motion to approve to adopt Resolution 2021-9, a Resolution of the County Commission of Iron County, Utah declaring its intention to reimburse itself for expenditures incurred in connection with the new Jail Facility Project with proceeds of Bonds that it intended to issue, and related matters. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-9

A RESOLUTION OF THE COUNTY COMMISSION OF IRON COUNTY, UTAH DECLARING ITS INTENTION TO REIMBURSE ITSELF FOR EXPENDITURES INCURRED IN CONNECTION WITH THE JAIL FACILITY PROJECT WITH PROCEEDS OF BONDS THAT IT INTENDS TO ISSUE; AND RELATED MATTERS.

Whereas, pursuant to the provisions State law, Iron County, Utah (the "County") or the Municipal Building Authority of Iron County (the "Authority and together with the County, the "Issuer"), is authorized to issue bonds for the municipal purposes set forth in the Act; and

Whereas, the County Commission must approve of Bonds issued by the County or the Authority; and

Whereas, the County has determined that it would be in furtherance of the purpose of the Issuer to issue bonds (the "Bonds") to finance a new jail facility and all related improvements (the "Project"); and

Whereas, the Issuer plans to issue the Bonds and to use a portion of the proceeds of the Bonds to reimburse itself for expenditures incurred by the Issuer relating to the Project and incurred prior to the date of issuance of the Bonds.

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

All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.

The County Commission of the County (the "Commission") hereby finds and determines that it is in the best interests of the Issuer for to issue the Bonds in the approximate amount of \$70,000,000 for the purpose of financing the Project. The Issuer hereby declares its intent to issue the Bonds and to use a portion of the proceeds thereof to reimburse itself for expenditures incurred by the Issuer relating to the Project and incurred prior to the date of issuance of the Bonds.

If any provisions of this Resolution should be held invalid, the invalidity of such provision shall not affect the validity of any of the other provisions of this Resolution.

All resolutions of the Commission or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency.

This Resolution shall become effective immediately upon its adoption.

APPROVED AND ADOPTED by the County Commission of Iron County, Utah, on this October 11, 2021.

IRON COUNTY, UTAH

(SEAL)

By: _____

Michael P. Bleak, Chair

*PAUL COZZENS Pro Tem
Chair*

ATTEST:

By: _____

Jonathan T. Whittaker, County Clerk



October 11, 2021

DISCUSSION OF UTAH DISASTER ASSISTANCE FROM THE SMALL BUSINESS ADMINISTRATION FOR HOMEOWNERS, RENTERS, AND BUSINESS OWNERS

Dan Jessen, Iron County Auditor, noted that this issue was under the Emergency Management but he would present it. Dan reported that Iron County was rejected to receive federal assistance from Federal Emergency Management Agency (FEMA). The Small Business Administration (SBA) Disaster Field Operations Center West did approve Iron County (any entity that was affected) for low interest Economic Injury Disaster Loans. He read “Disaster loans were available up to \$200,000 to homeowners to repair or replace damaged or destroyed real estate. Homeowners and renters were eligible for up to \$40,000 to repair or replace damaged or destroyed personal property. Interest rates could be as low as 2.855 percent for businesses, 2 percent for private nonprofit organizations and 1.563 percent for homeowners and renters with terms up to 30 years. Loan amounts and terms were set by SBA and were based on each applicant’s financial condition. Those interested could apply online at <https://disasterloanassistance.sba.gov/> or call SBA’s Customer Service Center at (800)659-2955 or email disastercustomerservice@sba.gov.” Dan explained that the applicants would apply directly through SBA and not the county. The deadline to apply for property damage was November 30, 2021 and the deadline to apply for economic injury was July 1, 2022. Michael Bleak noted that all SBA information was available on the Iron County website: www.ironcounty.net.

DISCUSSION AND POSSIBLE APPROVAL OF VEHICLES TO BE SOLD ON THE PUBLIC SURPLUS WEBSITE

Wade Adams, Iron County Fleet Manager, reported that there were 8 vehicles listed on the Iron County Fleet Operations Vehicle Surplus List. The vehicles listed were: 1999 Dodge Pickup (Landfill), 1999 Ford Explorer (Sheriff/Advocate), 2006 Chevy Tahoe (Emergency Management), 2006 Dodge Durango (Sheriff), 2006 Dodge Durango (Jail), 2010 GMC Truck (Landfill) and a 2011 Ford Pickup (Sheriff). Paul Cozzens made a motion to approve the Iron County Fleet Operations Vehicle Surplus List. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF VEHICLE TRANSFER FROM THE SHERIFF DEPARTMENT TO THE LANDFILL. 2010 FORD F150 1FTFW1EV3AFB59030 & 2005 DODGE 1D7KS28D35J573018

Wade Adams, Iron County Fleet Manager, explained that the vehicle transfer was a 2010 Ford 150 and a 2005 Dodge Pickup from the Sheriff’s Department to the Landfill. Marilyn Wood made a motion to approve a vehicle transfer of a 2010 Ford F150 and a 2005 Dodge Truck from the Sheriff’s Department to the Landfill. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONVENE AS THE BOARD OF EQUALIZATION

Michael Bleak, Iron County Commission Chair, declared the convening of the Iron County Board of Equalization (BOE).

REVIEW AND APPROVAL OF VETERAN, CIRCUIT BREAKER, LOW INCOME, AND BLIND TAX ABATEMENTS FOR THE 2021 TAX YEAR. ALSO REQUESTING APPROVAL OF RELIGIOUS & CHARITABLE TAX EXEMPTIONS SUBMITTED AFTER THE MARCH 1ST DEADLINE. APPROVAL OF MID YEAR TAX EXEMPTION FOR APN: B-524 & B-585, REQUESTED BY YOUTH FUTURES

August Franklin, Iron County Deputy Auditor Accountant 1, reported on the following Abatement amounts: Blind-\$1,461.86, Circuit Breaker-\$177,391.39, County-\$88,651.73, Deployed Military-\$1,017.67, Market Circuit Breaker-\$103,423.16, Mobile Blind-\$25.11, Mobile Circuit Breaker-\$295.69, Mobile Veteran-\$463.45 and Veteran-\$623,403.90 for a total

\$996,133.96 to be abated. August explained that \$177,687.08 was the portion that would be refunded to Iron County from the State of Utah. August reported that there were 4 Religious & Charitable Tax Exemptions submitted after the March 1st deadline. Youth Futures Properties, LLC recommended for tax exempt status beginning May 26, 2021 through December 31, 2021 (140 S 100 West, Cedar City & 133 S 100 West, Cedar City). Southern Utah University (SUU) recommended for tax exempt status beginning September 13, 2021 through December 31, 2021 (107 S 300 West, Cedar City & 33 N 200 West, Cedar City). Paul Cozzens made a motion to approve the Veteran, Circuit Breaker, Low Income, and Blind Tax Abatements for the 2021 Tax Year and the Religious & Charitable Tax Exemptions submitted after the March 1st deadline. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

REVIEW AND APPROVAL OF ADJUSTMENTS AND HEARING OFFICER'S RECOMMENDATIONS FOR BOARD OF EQUALIZATION (BOE)

Carrie Christiansen, Iron County Chief Deputy Auditor, reported 218 appeals. There was a total Market Value Adjustment of \$7,988,142, a Taxable Value Adjustment of \$10,964,375. Iron County Tax impact to the General fund \$15,722.91, Municipal Services impact of \$3,964.19. For a total of \$19,687.10 of Tax Impact revenue for Iron County. Paul Cozzens made a motion to approve Adjustments and Hearing Officer's recommendation from the BOE as presented. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

PRESENTATION ON THE REDISTRICTING PROCESS IN IRON COUNTY

Jon Whittaker, Iron County Clerk, explained that 2021 was a census year, and that it was delayed. He noted that the state legislature was in the process of reevaluating and possibly changing state House, Senate, School Board and US House and Senate boundaries. This process was called "Redistricting," and was nearing completion. Jon noted that the Clerk's Office, and IT had been preparing for when the redistricting process was finalized. Jon had prepared maps showing existing Iron County precincts with color coding based on the number of registered voters in each precinct. He explained that precincts should have no more than 1250 registered voters, and that some precincts in Iron County exceeded that number, and therefore adjustments would need to be made. The maps showed points for each registered voter, reflecting where voters were concentrated. The Clerk's Office had identified possible ways to divide and define the precincts to comply with said 1250 rule. Once the state redistricting process was finalized, the Iron County precinct rebalancing process could be completed. After that, the Iron County School Board precincts could be reestablished. The School Board precincts would increase from 5 to 7 due to population in Iron County increasing over 50,000 residents. Jon explained that the process would need to be completed by January 31, 2021.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource Director, reported that the first agenda item was the presentation and possible approval of a 2022 Insurance Renewal figures from NFP-Insurance Broker and turned the time over to Rob Sautter, NFP Corporation Representative. Mr. Sautter reported results of the Market Analysis performed this month for the upcoming Iron County Health Open Enrollment. The recommendations were:

Health Insurance – Offer the same insurance plan. The annual cost to Iron County would increase by 2.5%, which was a cost to Iron County of \$60,751.92.

Dental Insurance – Offer the same insurance plan at a 0% increase.

Vision Insurance – Offer an enhanced plan, keeping with industry standards, increase the allowed amount to \$210, an annual cost increase of \$6,651 for Iron County, keep the cost at 70% County/25% Employee.

Life Insurance – Offer an enhance benefit decrease at a \$5,094.97 annual saving for Iron County, Line of Duty Benefit for Public Safety Officer's that would double their benefit if they were to die in the Line of Duty.

Long Term Disability – Offer an enhanced plan of 100% Line of Duty Benefit at 0% increase. If a Public Safety Officer was disabled while in service their income would be replaced by 100%. Michael Bleak asked what the increase was in 2020. Mr. Sautter noted that it was a 2.5% increase. Marilyn Wood made a motion to approve the 2022 insurance renewal figures from NFP Insurance Broker as presented. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire, David Hill as a Full-time Deputy Attorney IV within the Attorney's Office, effective November 1st. Paul Cozzens made a motion to approve new hire, David Hill as a Full-time Deputy Attorney IV within the Attorney's Office, effective November 1st. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire, Alyssa Packwood as a Full-time Court Clerk in the Justice Court, effective October 18th. Marilyn Wood made a motion to approve new hire, Alyssa Packwood as a Full-time Court Clerk in the Justice Court, effective October 18th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented new hire, Wade Williams as a Full-time Landfill Technician, effective October 18th. Paul Cozzens made a motion to approve new hire, Wade Williams as a Full-time Landfill Technician, effective October 18th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented Grant Oxenrider for a possible promotion from Maintenance Worker to Lead Maintenance Worker/Sign Technician in the Roads Department, effective October 3rd. Marilyn Wood made a motion to approve the promotion of Grant Oxenrider from Maintenance Worker to Lead Maintenance Worker/Sign Technician in the Roads Department, effective October 3rd. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the following personnel actions in Sheriff-Corrections: Jason Slack from Interim Sergeant to Sergeant, Mark Davis from Corporal to Interim Sergeant, Matthew Malachowski from Interim Corporal to Corporal, Robert Stammet from Deputy 3 to Interim Corporal, and Bryan Aguayo from Deputy 2 to Deputy 3, effective October 17th; a pay rate adjustment for Medical Technician, Deputy Clayton Mitchell, for receiving his EMT certification, effective October 7th. Paul Cozzens made a motion to approve the personnel actions in Sheriff-Corrections as presented by Jennifer Bradbury. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the following personnel actions in the Sheriff-Patrol: Dave Mitchell from Interim Administrative Lieutenant to Administrative Lieutenant, effective October 3rd; Jeffery Humphries from Sergeant to Operations Lieutenant, effective October 17th; new hires of Lauren Labrum, Jed Fackrel, and Joshua Kell as Full-time Deputy 1, effective November 1st. Marilyn Wood made a motion to approve the personnel actions in Sheriff-Patrol as presented by Jennifer Bradbury. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

DISCUSSION REGARDING THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY. NOTE: THIS PORTION OF THE MEETING MAY BE CLOSED PER UTAH CODE ANNOTATED 52-4-205(d)

Paul Cozzens made a motion to move into a closed regarding the purchase, exchange, or lease of real property per UCA § 52-4-205(d). Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

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

I, Michael Bleak, 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.



Paul Cozzens
Signed: Michael Bleak, Chairman

PAUL COZZENS PRO TEM
Chair

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

Michael Bleak, Iron County Commission Chair, declared the Closed Session ended. Marilyn Wood made a motion to negotiate the purchase, exchange, or lease of real property with Paul Cozzens appointed to be the negotiator. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.

Paul Cozzens
Signed: Michael Bleak, Commission Chair

PAUL COZZENS PRO TEM
Chair

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



**IRON COUNTY COMMISSION MEETING
OCTOBER 25, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 25, 2021
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael Bleak	Commission Chair - Excused
Paul Cozzens	Commission Chair Pro Tempore
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Sam Woodall	County Deputy Attorney
Karsten Reed	County Assessor
Dan Jessen	County Auditor
Stephanie Ward	County Children’s Justice Center
Lori Eichelberger	County Justice Court
Reed Erickson	County Planner
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer
Brionna Garrett	County Victims Advocate

SYNOPSIS

ADJOURNMENT 17

APPROVAL OF CLAIMS FOR PAYMENT.....2

APPOINTMENT OF COMMISSION CHAIR PRO TEMPORE.....2

APPROVAL OF MINUTES2

DEPARTMENTAL REPORTS.....2

INVOCATION2

MBA RESOLUTION 2021-1, REGARDING LEASE OF REVENUE BONDS 13

MOTORCYCLE AND UTV EVENT AT IRON SPRINGS RESORT5

NON-DELEGATED ITEMS..... 17

PEAK VIEW SUBDIVISION, PHASE V, FINAL PLAT (APN: D-597-10) 7

PLEDGE OF ALLEGIANCE.....2

PUBLIC COMMENTS4

RESOLUTION 2021-10 REGARDING UCIP REPRESENTATIVES.....8

RESOLUTION 2021-11, REGARDING LEASE REVENUE BONDS.....9

SENIOR COMPANION AND FOSTER GRANDPARENT PROGRAM DONATION5

INVOCATION

An invocation was offered by Karsten Reed.

PLEDGE OF ALLEGIANCE

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

APPOINTMENT OF COMMISSION CHAIR PRO TEMPORE

Marilyn Wood, Iron County Commission, excused Michael Bleak, Iron County Commission Chair, as he was out of town attending another meeting. Marilyn Wood made a motion to appoint Paul Cozzens as Iron County Commission Chair Pro Tem. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meeting held October 11, 2021. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM OCTOBER 11, 2021 TO OCTOBER 24, 2021

Marilyn Wood made a motion to approve Claims for Payment from October 11, 2021 to October 24, 2021. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Lori Eichelberger, Iron County Justice Court Administrator, reported that her office was fully staffed. The budget was on track at 68.75% spent. Lori reported that after her budget meeting she had requested a special report to be run, to differentiate the amount of revenue that was attributed to cases from B and C Misdemeanors and Infractions. Cases with Misdemeanors and Infraction charges on the same citation/case filing would be subject to movement if proposed legislation becomes law, changing Class B or C Misdemeanors to District Court or to a newly created Division Court. She presented a recap from January 1st through September 30th. There were 121 DUI citations, 454 Drivers License Violations, 5,323 Moving Violations, 1,407 Non-Moving Violations, 46 Assaults, 62 Theft, 490 Controlled Substance/Narcotics, 66 Domestic Violence, 366 Miscellaneous Misdemeanors and Infractions for a total of 8,335 citations. Revenue collected was \$1,583,774, Revenue Disbursed was \$649,172 and Revenue Retained was \$934,602. Lori reported that in the last month, 6 cases were filed under the new Online Dispute Resolution (ODR) program. The Administrative Office of the Courts (AOC) were seeking methods that were more friendly to Pro Se Defendants, or those who represented themselves. A new program, Judicial Assistance Queue (JAQ) and the application was called "My Case". She explained that the Pro Se defendants would be able to perform their own e-filing. This was just the first phase roll-out of the JAQ program.

Stephanie Ward, Iron County Children’s Justice Center (CJC) Director, reported on the Case breakdown from January 1st through September 30th. There were 196 Interviews in Iron County, 16 in Beaver County, 28 in Kane County and 11 in Garfield County. There were 41 Medical Exams in Iron County, 10 in Beaver County, 17 in Kane County and 1 in Garfield County. Medical exams were screened by a nurse practitioner. The children had a safe, comfortable place to go for the exams and when they left, they knew that they were okay. Therapy sessions that were provided in schools were as follows: 416 in Iron County and 351 in Kane County. Garfield County was beginning to see more children now that they were operating. They went from 1 Medical Exam in 2020 to 11 in 2021. Stephanie reported that the therapist that was at Canyon View Middle School had moved to Parowan. The Iron County School District would be using their own therapist. She noted that she continued to search for therapists to contract with. Stephanie urged that if individuals were starting college were unsure of a major to pursue, they should go into Mental Health. Marilyn Wood asked if Stephanie was still having a hard time finding therapists to work. Stephanie noted that she was. The problem was she was

only able to pay a therapist \$80 per hour under Federal Contracts and they could make up to \$140 per hour in private practice. The private therapists even had waiting lists for patients. Marilyn Wood noted that many people had moved into Iron County and perhaps some of them had received therapist training. Marilyn suggested that the CJC advertise and maybe some of those individuals would be willing to work as part time therapists. Stephanie reported that they were planning on advertising. The Mental Health Care Providers in the area were a part of an association chain and any time there was an opening they could go onto the link. The CJC also helped with training therapists. All therapists in the community offered help for the children. Marilyn Wood suggested she talk with Jennifer Bradbury, Human Resource Director, to help with advertising. Stephanie noted that the Cambria Grant was awarded and in place and that would help funding therapists. She had also contacted the Iron County School District to advertise. She explained that the CJC was not just tied to children from the CJC. With the VOCA Grant and the Cambria Grant the CJC was able to offer help to any children that suffered any type of trauma. Stephanie reported that there would be a Grand Opening for a new facility in Kane County on November 8th at 12:00 p.m. The CJC fundraiser "Dancing with the Community Stars" would be held on November 9th from 7-9 at the Heritage Center Theater. The theme was "When you Wish..." and this year's dancers were Aaron Brown, Alex Meisner, Tyler Melling, Heather Roundy, Terri Sanders, Beth Stephenson, and Tyson Williams. Judges were Scott Burns, ReAnn Reimschuessel and Betsy Santini. Scott Phillips would be Master of Ceremonies. Stephanie noted that the fundraiser was sold out every year. Last year a gentleman stopped at the CJC and dropped off approximately 80 princess dresses. Any child coming to the Dancing with the Community Stars would be able to wear a dress and take it home.

Brionna Garrett, Iron County Victim Advocate Coordinator, reported that last quarter they had 276 clients: 58 adult physical assaults, 24 adult sexual assaults, 37 child abuse or neglect, 38 child-sexual abuse/assaults, and 48 domestic violence cases. All the clients were Victims of Crime Act (VOCA) funds eligible. The advocates were able to serve 11 clients with compassionate service funds. Of the 11 compassionate service clients, 8 were family members of someone who committed suicide, 1 fatal accident, and 1 unattended death. Jaden Thomas was able to respond to an officer involved shooting and was able to offer support to the other gentleman involved and helped him find a hotel to stay in (paid through VOCA funds) and checked on the gentleman's dog who was in the home which was now a crime scene. Wendy Jessen was called to assist a mother on another big incident. Marilyn Wood asked Brionna if she would explain why some were eligible for VOCA and not others. Brionna explained that VOCA was for victims of crime and anytime there was a crime against a person the assistance came from VOCA funds. If it was not a crime (as in the case Wendy assisted) the woman had some mental health issues and the Special Weapons and Tactics (SWAT) team was called in. She noted that bad things happened, which was bad, but they were able to help when they were called, which was a good thing. Brionna reported that October was Domestic Violence Month. She was on a Domestic Violence panel last week, and the advocates participated in Canyon Creek's Gala. Marilyn Wood expressed her appreciation for all that Brionna and the advocates offered. Brionna noted that their goal was to relieve officers' stress and the advocates were able to help by focusing on victims.

Marilyn Wood, Iron County Commissioner, reported that she and Paul Cozzens attended the Western Interstate Regional Conference (WIR) in conjunction with National Association of Counties (NACo) Rural Action Caucus in Salt Lake City from October 12th to the 15th. On Tuesday they participated in a full-day tour to Uintah and Duchesne County. It was interesting to observe what other counties were doing. Marilyn observed that many counties lacked infrastructure. One of the main reasons that Iron County was being considered for the Inland Port Project was because its excellent infrastructure. It was great to network with other commissioners. They also toured Summit County and observed the destruction from a fire in Parleys Canyon. They traveled to Park City and then to mountains above Kamas, where there were 3 different watersheds that went 3 different ways. They had the same problem as Iron County with beetle kill in their forests. Park City wanted to work on getting the beetle kill trees out but Federal partners made it difficult. Marilyn announced that there would be a Public

Hearing in the Parowan City Office on Thursday, October 28th at 5:00 p.m. regarding the possible transfer of the Iron County Fair property from Parowan City to Iron County. She noted that if anyone had any concerns or questions about the transfer to please attend the hearing. Information regarding the potential transfer would be presented that night. Marilyn expressed her appreciation to the Parowan City Council and to Mayor Griffiths for engaging with the possible transfer. She expressed that it was a challenge being an Elected Official. There was much that went into budget hearings for a city or county and not everything that was requested could be provided due to financial restraints. Parowan City had lost their pool and the community wanted a new swimming pool, so discussions began between Parowan City and Iron County regarding the Iron County Fairgrounds. She explained that in most instances a county owned the land where their fair was held. Parowan City owned the property and Iron County held the Fair each year on it. The Iron County Commission would also hold a public hearing later. Jon Whittaker noted that there was no desire to move the fair to another location. Marilyn noted that Iron County had invested a great deal of money into the Fairgrounds and did not plan on moving it. She expressed that the Fairground had tremendous potential right where it was.

Paul Cozzens, Iron County Commissioner, reported that the thought never crossed their minds to move the fair. His family loved to come to Parowan for the Fair and enjoyed the small town atmosphere that prevails there. He explained that the discussion of a transfer had been going on for years. The Commissioners were excited to participate Parowan City was also desirous. Paul reported that he drove to Kanarrville to discuss flood prevention and maintenance. There was a detention basin on the south end of Kanarrville that continued to fill with every rainstorm, even after it had been cleaned out. On the North end of Kanarrville, Curtis DeMille had done a great job cleaning up the flood channel that often flooded the road. Paul noted that he had talked with a homeowner that didn't want anyone on his property which was making it difficult to properly clean out the channel. He, Commissioner's Bleak and Wood attended the groundbreaking of a new Four Points Health Center. The Piute Tribe was building a new medical facility that would be a "One-stop" facility for any type of health care. The facility would offer help to anyone in the county. Paul mentioned the importance of keeping our watersheds maintained. In regard to those above Kamas, Utah, if a fire burned the watersheds there it would affect 2.5M customers. Marilyn Wood explained that it was important to maintain watersheds and take good care of our forests.

Jonathan Whittaker, Iron County Clerk, reported that the ballots for the General Election were placed in the mail on Thursday. The ballots were delayed from mailing but were still within time frame allowed for the ballots to be mailed. Citizens should begin getting them in the mail in the next couple of days.

PUBLIC COMMENTS

Cassie Easley, resident of Enoch City, explained that she was told that an Ordinance regarding the 2nd Amendment was scheduled to be on the agenda today, but it was not on the agenda. She indicated that neither Sheriff Carpenter nor Jon Whittaker informed her that she was not scheduled on the agenda. She had been told many times that it was not the right time to address the ordinance. Her question was when the "right time" would be so she could submit it to be on the agenda to be heard. Marilyn Wood reported that the commissioner's pulled the item from the agenda. She explained that the commissioners asked the County Attorney to look at it. Marilyn had talked with Sheriff Carpenter and he was heavily involved with the States Sheriff's Association and his suggestions made sense. Until something was done to go against the Constitution and the 2nd Amendment it would be better to wait. When something like that were to happen there would be a higher impact if all 29 counties came together and pass it all at once. That would be a big statement and the impact would be national. If the ordinance was passed today, no one would hear about it. Cassie noted that Iron County would be impacted. Marilyn Wood agreed but expressed that it would have minimal impact in the broader State of Utah. Cassie noted that there were 15 other counties that were putting this ordinance on their agendas. Marilyn Wood noted that Sheriff Carpenter had talked to other County Sheriffs, and they were in agreement to wait and present it all at the time to make it more powerful.

Sheriff Carpenter explained that he did not know whether the ordinance was on the agenda or not when he had talked with Cassie Easley. He stated that he wanted everyone to understand that the Sheriffs were here to protect everyone's 2nd Amendment rights and their Constitutional rights, and they took that protection very seriously. He reported that he met with the Sheriffs Association monthly and would be meeting with them this Friday, October 29th. He noted that he would be glad to discuss the ordinance with the other Sheriffs and see where the different counties stood. Sheriff Carpenter explained that as counties we had very few tools to fight against the Federal Government. One of the strongest tools was unity. If a county passed a 2nd Amendment Ordinance individually, there would be little impact, no media coverage, and next to no notice at all. A stronger statement would be made if all 29 counties unified and passed an ordinance at same time. It would make a very strong political statement to the state and the nation. It is not about if the ordinance was a good thing or a bad thing. It's about having unification to be able to make a strong political statement when we need it. We need to wait until it would be the greatest advantage for the people of Iron County and the State of Utah.

REQUESTING A DONATION FOR THE SENIOR COMPANION AND FOSTER GRANDPARENT PROGRAM

Joni Lyman, AmeriCorps Seniors Program Coordinator, explained that this was the annual update for the Senior Companion and Foster Grandparent Program. Joni reported that this was a National Program that required a sponsor for the local chapters. 5 County Association of Governments (AOG) was the sponsor for the Senior Companion and Foster Program and were grateful for the support the commission had given in the past. She noted that the name had been changed to "AmeriCorps Seniors". Joni gave a brief reminder of what the two programs were: Senior Companions was a program wherein senior would assist their fellow seniors in the community by providing transportation for essential errands, companionship, light housekeeping, and respite for care givers. Each Senior Companion was assigned 5-10 clients whom they visit once a week for 3-4 hours. Foster Grandparents served in local schools working one-on-one with children who had "exceptional or special needs". They assist children with reading and math skills and offer support and compassion to the children. To qualify to serve as a Foster Grandparent or Senior Companion a person must be over 55 years old, be income eligible (earn less than \$2,200 per month) and be willing to serve a minimum of 15 hours per week. These seniors received a small stipend of \$3.00 per hour for their service and were reimbursed for mileage. Joni explained that during the previous 18 months had been challenging for both programs. During the 2020-2021 school year some schools did not allow anyone to volunteer. This school year Foster Grandparents had been serving and it was great. However, they had lost 7 Foster Grandparent volunteers in Washington County. She noted that Iron County had not lost any volunteers. Senior Companions had been serving their clients throughout this time in Iron County and their clients were extremely happy and grateful for their service. Joni reported that Iron County had donated \$1,000 in the past. Paul Cozzens expressed that the AmeriCorps Seniors Program was a great program. Marilyn Wood made a motion to approve a donation of \$1000 to the AmeriCorps Seniors Program. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF AN OFF ROAD RACE FOR MOTORCYCLES, QUADS AND UTV'S EVENT THAT WILL BE HELD AT IRON SPRINGS RESORT ON NOVEMBER 6TH FROM 6:00 A.M. TO 8:00 P.M.

Donald Jackson, Legacy Racing Association, explained that he had been promoting Off Road Races for 17 years. He considered Legacy Racing to be professional and promised to run a great program for "Dirt Rebelution" being held at Iron Springs Resort. Donald went over the schedule of events which were: Friday, November 5th - registration, technical inspection, and interaction with racers. The public was invited to meet the racers and any vendors were welcome. There would be a Welcome Party at IG Winery & Tasting Room to welcome all racers to Cedar City; Saturday, November 6th - Race Day for Motorcycles and Quads would begin at 8:15 a.m., UTV's would begin at 12:15 p.m. Sunday - Clean up (dubbed "Spit Shine") He

reported that Legacy Racing had partnered with Tread Lightly, a supporter of off road racing, who helped organize volunteers to clean up. The cleanup would be done from Hwy 56 to Iron Springs from 9:00-12:00. Mr. Jackson presented a map of the race and noted that most of the race would be on Frank Nichols' property and private property. Written authorization from all private property owners had been obtained. There were 2 County areas that they were asking permission to use for transit from one side to the other. Those were: Iron Springs crossing south to north just east of Iron Springs. This was for permission for racers to cross the road and the road would need to be temporally closed. He explained that the race was a timed event and the fastest time would win the race. There would be signs placed on the roads for all crossings. The amount of time that the road would be closed would be 5-10 seconds when a racer crossed and they would provide flaggers for the crossing. The next crossing was near Shooting Range. This would be the first crossing at 15 miles into the race. The racers would begin between 30 seconds and 1 minute apart. The traffic would only be stopped a few seconds as they cross the road. The next road was coming down the railroad tracks through the shooting range. He noted that the racers would be on the shooting range road for a quarter of a mile and would need to block off 3 feet of the range road and the racers could use the shoulder of the road to the Iron Springs Road crossing. They would provide flaggers at the crossings to make sure the racers could cross safely. The major closure would be the closing of Comstock Road. Donald explained that he had spoken with Preston Nelson, Iron County Road Superintendent, and he felt that there would not be a problem to close the road. The racers cross Comstock several times during the race between Black Iron Mine and Comstock Road. They would need to block 2.6 miles of Comstock Road. Donald reported that their Emergency Action Plan included contracting an outside medical company, Motorsports Safety Solutions, to cover any medical situation that might come up with the participants. Motorsports would coordinate any medical transport needed with the Cedar City Hospital. They were approved EMT's but not approved for transport vehicles. Paul Cozzens asked if he had contacted Sheriff Carpenter about the race. Donald noted that he had just met Sheriff Carpenter today and that he had been working with Lieutenant Mitchel and Deputy Rowlands coordinating the Volunteer in Police Service (VIPS) to help at the road crossings and closures. A plan was to have 6-8 VIPS/Officers helping with traffic control. Paul Cozzens asked if Sheriff Carpenter would like to speak on the item.

Sheriff Carpenter reported that this was the first that he had heard about the race. He agreed that this was a great concept and opportunity but was concerned that racers were crossing public roads. Depending on the day and time of day, there could be a great deal of traffic on those roads. He stated that when the racers were coming across Hwy 56 at full speed, to make sure there was enough time between to stop traffic. He asked what Medical Control the EMT's were working under? Sheriff Carpenter explained that EMT workers were required to work under Medical Control, under a doctors' supervision. All EMT's in Iron County worked under Medical Control with a Doctor from the Cedar City Hospital. Mr. Jackson explained that they were under Medical Control with Dr. Whitman, Medical Director at UMC Hospital in Las Vegas. Paul Cozzens asked if the flaggers would be notified early enough to stop the traffic. Donald explained that there would be signs up for the racers requiring them to slow down to 25 mph approximately 100 yards from the crossings, and a sign after letting them know when to resume base speed. Volney Morin, a citizen of Iron County, asked if Iron County was insured from any potential accidents. Donald replied that he had sent the information to Jon Whittaker stating that Iron County was listed as additional insured. Jon Whittaker noted that he had received that information from Mr. Jackson. Marilyn Wood asked if Paul Briggs, Cedar City Bureau of Land Management (BLM) Field Manager, had any additions to the item.

Paul Briggs reported that Mr. Jackson had been in contact with the BLM office for a considerable amount of time regarding the upcoming race. Unfortunately, part of the reason he and Mr. Jackson were bringing this item to the commission was because there were delays getting permission from all the landowners. He reported that originally, the race was going to be a larger event and the BLM was going to issue a special recreation permit. They ran out of time under the requirement to facilitate the road closure and for their officers to have any authority at the road closures. They were required to publish a notice of a road closure in advance. Paul

reported that if Iron County agreed to help with safety and road closures, the BLM would approve the event to be on BLM land. Marilyn Wood asked what the difference was with the smaller event? He reported that they had originally anticipated on 120 participants and there were 45 entrants at this time. Previously the course was 62 miles and now it was 31 miles. Jon Whittaker noted that there were many applicants who plan events every year. Legacy Racing had been very professional with planning this event. Marilyn Wood noted that this was the inaugural year for the race and hoped all went well and they would want to come back. Mr. Jackson reported that they had launched their 2022 schedule and planned to come back to Iron County and have the longer 62-mile race. Marilyn Wood made a motion approve an Off-road Race for Motorcycles, Quads and UTV's event that would be held at Iron Springs Resort to be held on November 6th from 6:00 a.m. to 8:00 p.m. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF PEAK VIEW SUBDIVISION, PHASE V, FINAL PLAT – 32 LOTS, LOCATED NEAR 2066 W MIDVALLEY ROAD (4800 N), APPROXIMATELY 20.88 ACRES WITHIN THE E½ NW¼ SECTION 16, T35S, R11W, SLB&M, IRON COUNTY, UT (APN: D-597-10)

Reed Erickson, Iron County Planner, explained that earlier phases of Peak View Subdivision had been presented and approved previously by the commission and this was Phase 5. The previous Phases 1-4 all used the same entrance, and Phase 5 would add a second entrance to the subdivision. Everything was in place for Phase V, Final Plat and the plat had been signed, except for the approval of the Iron County Commission. Reed reported that he had not received the "Bond Letter of Credit" as of this morning and asked that the possible approval be contingent to receiving the letter. Marilyn Wood made a motion to approve the Peak View Subdivision, Phase V, Final Plat-32 Lots, located near 2066 W Midvalley Road (4800 North), approximately 20.88 acres within the E½ NW¼ Section 16, T35S, R11W, SLB&M, Iron County, Utah (APN: D-597-10), contingent on receiving the Bond Letter of Credit. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

RESOLUTION 2021-10, APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE ANNUAL UTAH COUNTIES INDEMNITY POOL (UCIP), TO BE HELD NOVEMBER 11, 2021

Jon Whittaker, Iron County Clerk, explained that UCIP had an annual meeting and historically the Iron County Clerk was appointed Representative and Human Resource was the Alternate Representative. Marilyn Wood made a motion to approve Resolution 2021-10, appointing Jon Whittaker, Iron County Clerk, to be UCIP Representative for Iron County and Jennifer Bradbury as the UCIP Alternate Representative for the annual meeting to be held November 11, 2021. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-10

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 November 11, 2021; 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 November 11, 2021, with Jennifer Bradbury as an alternative representative.

RESOLVED, ADOPTED, AND ORDERED this 25th day of October, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Paul Cozens – Chair Pro Tempore

ATTEST AND COUNTERSIGN:

By: 
Jonathan T. Whittaker - Clerk



Michael P. Bleak	<u>Excused</u>
Paul Cozens	<u>Aye</u>
Marilynn Wood	<u>Aye</u>

RESOLUTION 2021-11, CONSIDERATION FOR ADOPTION OF A RESOLUTION OF THE COUNTY COUNCIL OF IRON COUNTY, UTAH AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT BY AND BETWEEN THE COUNTY AND THE MUNICIPAL BUILDING AUTHORITY (MBA) OF IRON COUNTY, UTAH (THE "AUTHORITY"); AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE BONDS, SERIES 2021, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$500,000; AND RELATED MATTERS

Reed Erickson, Iron County Planner, explained that Resolution 2021-11 was an outline process for the first step for receiving the revenue bonds for the Newcastle Fire Station building. This loan was approved by the Community Impact Board (CIB) of up to \$55K half grant half loan. The resolution authorized Iron County to enter into an agreement with the Municipal Building Authority (MBA), who was the applicant accepting the loan from the CIB. The next agenda item was the MBA approving the resolution to begin the process for the "Parameters Resolution" that defined the scope of what could be bonded. Paul Cozzens reported that he was a member of the CIB and had visited with Commissioner Bushman from Piute County. Commissioner Bushman had an idea to place a plaque on every building that received funds from the CIB saying "This building was made possible by the CIB.". Mr. Bushman believed, as did Paul, that most people want to close oil mining and gas extraction in our country. Paul explained that there were many projects that had received funding from the CIB. Recently, with the closure of oil drilling, CIB funding was suffering because the revenue stream had been shut down. We need to educate the public on the importance of CIB funding. Dan Jessen, Iron County Auditor, explained that if someone recognized the challenge in the west desert that there was no tax base, there were farms, and a few stray homes. Iron County, by law, had to provide services including fire coverage. The proposed additional Newcastle Fire Station was just a drop in the bucket in comparison to what was needed. Without being able to approach the CIB and the Community Development Block Grant (CDBG), the money would necessarily come out of the tax base, which was almost non-existent there. Therefore the rest of Iron County would have to subsidize the construction of a fire station and the purchase of fire equipment, which was very expensive. Without the CIB half grant half loan with an interest of 1%, thanks to Commissioner Cozzens, we would not have the ability to build the fire station. Reed Erickson explained that Newcastle did qualify for CIB funding of \$200K for the project because it was a low-income area. Marilyn Wood made a motion to approve Resolution 2021-11, authorizing and approving the execution and delivery of a Master Lease Agreement by and between Iron County and the Municipal Building Authority of Iron County; authorizing the issuance and sale by the MBA of its Lease Revenue Bonds, Series 2021, in the aggregate principal amount of not more than \$500K; and related matters. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-11

A RESOLUTION OF THE COUNTY COMMISSION OF IRON COUNTY, UTAH (THE "COUNTY") AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, BY AND BETWEEN THE COUNTY AND THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH (THE "AUTHORITY"); AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF NOT MORE THAN \$500,000 AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, SERIES 2021 (THE "BONDS"); AUTHORIZING THE EXECUTION BY THE AUTHORITY OF A MASTER RESOLUTION, SECURITY DOCUMENTS, AND OTHER DOCUMENTS NECESSARY FOR THE ISSUANCE OF THE BONDS; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY FOR THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

Whereas, Iron County, Utah (the "County") is a political subdivision and body politic duly organized and existing under the Constitution and laws of the State of Utah; and

Whereas, the County Commission (the "Commission") of the County has previously authorized and directed the creation of the Municipal Building Authority of Iron County, Utah (the "Authority"); and

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

Whereas, pursuant to the provisions of the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1959, as amended, and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated, as amended (collectively, the "Act"), the Governing Board of the Authority has the power to issue its Lease Revenue Bonds, Series 2021 (the "Series 2021 Bonds") (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Authority) for the purpose of (a) financing the construction of a new fire station facility and all related improvements (the "Project") and (b) paying costs of issuance of the Series 2021 Bonds; and

Whereas, there has been presented to the Commission at this meeting the form of (a) a Master Resolution (the "Master Resolution"), (b) a Master Lease Agreement (the "Master Lease") and (c) a Deed of Trust and Assignment of Rents (the "Deed of Trust"); and

Whereas, the Authority by its Resolution dated the date hereof (the "Authority Resolution") has or is expected to authorize, approve and direct the execution of the Master Resolution, Master Lease and Deed of Trust and to authorize the issuance of the Series 2021 Bonds and the financing of the Project; and

Whereas, under the Articles, the Authority may not exercise any of its powers without prior authorization by the Commission and, therefore, it is necessary that the Commission authorize certain actions by the Authority in connection with the transactions contemplated hereby in connection with the issuance of the Series 2021 Bonds; and

Whereas, there has been presented to the Commission the Master Lease, the Master Resolution, and the Deed of Trust for the purpose of obtaining the approval and authorization of the Commission of the terms and provisions thereof and for the purpose of confirming the execution thereof (where required) as the official act of the Commission.

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

Section 1. The Commission hereby finds and determines that it is in the best interests of the County and its residents to authorize the issuance by the Authority of not more than Five Hundred Thousand Dollars (\$500,000) aggregate principal amount of the Authority's Lease Revenue Bonds, Series 2021, to bear interest at a rate of not to exceed three percent (3.00%) per October 25, 2021

annum, to mature in not more than thirty-three (33) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof for the purpose of (a) financing the Project and (b) paying costs of issuance, all pursuant to this resolution (this "Resolution"), the Master Resolution to be entered into at the time of issuance of the Series 2021 Bonds substantially in the form attached hereto as Exhibit B, the Master Lease substantially in the form attached hereto as Exhibit C and the Deed of Trust, substantially in the form attached hereto as Exhibit D.

Section 2. The Commission hereby authorizes the financing of the Project and the delegation by the Authority to certain officers of the Authority, the ability to set the final terms of the Series 2021 Bonds within the parameters established by the Authority in the Authority Resolution.

Section 3. The Commission hereby authorizes and approves the leasing of the Project by the Authority to the County in the manner provided in the Master Lease.

Section 4. The Master Resolution, the Master Lease and the Deed of Trust, are hereby authorized, approved, and confirmed. The Chair or Chair pro tem and the Clerk of the County are hereby authorized to execute and deliver the Master Lease in substantially the same form and with substantially the same content as the form presented at this meeting and attached hereto as an exhibit for and on behalf of the County with final terms as may be established for the Series 2021 Bonds by the Authority and with such alterations, changes or additions as may be necessary or as may be authorized by Section 5 hereof. When authorized by the Governing Body of the Authority, the County hereby approves and authorizes the execution and delivery by the Authority of the Master Resolution, the Master Lease and the Deed of Trust, in substantially the same form and with substantially the same content as the forms presented at this meeting for and on behalf of the Authority with final terms as may be established for the Series 2021 Bonds by the Authority and with such alterations, changes or additions as may be necessary or as may be authorized by Section 6 hereof.

Section 5. The Chair or Chair Pro tem or other appropriate officials of the County are hereby authorized to make any alterations, changes or additions to the Master Lease, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2021 Bonds (within the parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Commission or to the provisions of the laws of the State of Utah or the United States.

Section 6. The Chair/President or Vice Chair/President or other appropriate officials of the Authority are hereby authorized to make any alterations, changes or additions to the Master Resolution, the Master Lease, the Deed of Trust, the Series 2021 Bonds, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2021 Bonds (within the parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution, the Authority Resolution or any resolution adopted by the Authority or to the provisions of the laws of the State of Utah or the United States.

Section 7. The form, terms, and provisions of the Series 2021 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Master Resolution. The Chair/President or Vice Chair/President and Secretary-Treasurer of the Authority are hereby authorized to execute and seal the Series 2021 Bonds and to deliver said Series 2021 Bonds to the State of Utah Permanent Community Impact Fund Board, the purchaser (the "Purchaser"). The signatures of the Chair/President or Vice Chair/President and the Secretary-Treasurer may be by facsimile or manual execution.

Section 8. Upon their issuance, the Series 2021 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2021 Bonds and the Master Resolution. No provision of this Resolution, the Master Resolution, the Master Lease, the Deed of Trust, the Series 2021 Bonds, or any other instrument, shall be construed as creating a general obligation of the Authority, or of creating a general obligation of the County, the State of Utah or any political subdivision thereof, or as incurring or

creating a charge upon the general credit of the County or its taxing powers. The obligation of the County to pay any rentals and the obligation of the Authority to pay the Series 2021 Bonds will not constitute a general obligation or a debt of the County, the State of Utah or any political subdivision of the State of Utah. The Series 2021 Bonds are not an indebtedness or a liability of the County or the State of Utah. The Authority has no taxing power.

Section 9. The Chair/President or Vice Chair/President or other appropriate officials of the Authority and the Chair or Chair Pro tem or other appropriate officials of the County, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Authority and the County, respectively, any or all additional certificates, documents and other papers (including, but not limited to, tax compliance procedures and security documents related to the Project) and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 10. After the Series 2021 Bonds are delivered to the Purchaser, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the Series 2021 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Master Resolution.

Section 11. The Commission hereby expresses its intent that funds of the County or the Authority may be advanced for Project costs and that the Commission intends to reimburse such costs from proceeds of the Series 2021 Bonds.

Section 12. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

PASSED BY THE COUNTY COMMISSION OF THE IRON COUNTY, UTAH, THIS
OCTOBER 25th, 2021.

By: 
Paul Cozens – Chair Pro Tempore

ATTEST:

By: 
Jonathan T. Whittaker - Clerk



Michael P. Bleak	<u>Excused</u>
Paul Cozzens	<u>Aye</u>
Marilynn Wood	<u>Aye</u>

CONVENE AS THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY

Paul Cozzens, Iron County Commission Chair Pro Tem, declared the convening of the Municipal Building Authority (MBA) of Iron County.

MBA RESOLUTION 2021-1, ADOPTION OF AN MBA RESOLUTION AUTHORIZING THE ISSUANCE AND SALE BY THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY OF NOT MORE THAN \$500,000 AGGREGATE PRINCIPAL AMOUNT OF ITS LEASE REVENUE BONDS, SERIES 2021; AND RELATED MATTERS

Marilyn Wood made a motion to approve MBA Resolution 2021-1, authorizing the issuance and sale by the MBA of Iron County of not more than \$500K aggregate principal amount of its Lease Revenue Bonds, Series 2021; and related matters. Second by Paul Cozzens. Voting: Paul Cozzens, Aye; Marilyn Wood, Aye.

MBA RESOLUTION 2021-1

A RESOLUTION OF THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY, UTAH (THE "AUTHORITY") AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$500,000 AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, SERIES 2021 (THE "BONDS"); DELEGATING TO CERTAIN OFFICERS OF THE AUTHORITY THE POWER TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING THE EXECUTION BY THE AUTHORITY OF A MASTER RESOLUTION, AN ANNUALLY RENEWABLE MASTER LEASE AGREEMENT, SECURITY DOCUMENTS, AND OTHER DOCUMENTS NECESSARY FOR THE ISSUANCE OF THE BONDS; 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 provisions of the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1959, as amended, and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated, as amended (collectively, the "Act"), the Governing Board (the "Board") of the Municipal Building Authority of Iron County, Utah (the "Authority"), has the power to issue its Lease Revenue Bonds, Series 2021 (the "Series 2021 Bonds") (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Authority) for the purpose of (a) financing the construction of a new fire station facility and all related improvements (the "Project") and (b) paying costs of issuance of the Series 2021 Bonds; and

Whereas, the Act provides for the publication of a Notice of Public Hearing and Bonds to Be Issued, and the Authority desires to call a public hearing and to publish such notice at this time in compliance with the Act with respect to the Series 2021 Bonds; and

Whereas, there has been presented to the Board at this meeting the form of (a) a Master Resolution (the "Master Resolution"), (b) a Master Lease Agreement (the "Master Lease") and (c) a Deed of Trust and Assignment of Rents ("Deed of Trust"); and

Whereas, it is anticipated that the Authority will sell the Series 2021 Bonds to the State of Utah Permanent Community Impact Fund Board (the "Purchaser"); and

Whereas, in order to allow the Authority (with the consultation and approval of the Authority's municipal advisor, Zions Public Finance, Inc. (the "Municipal Advisor")), the Board desires to grant to the [Chair of the County Commission of Iron County, Utah, who is also the

Chair/President of the Authority, and the Clerk] of Iron County, Utah (the “Designated Officers”) the power to approve the principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2021 Bonds shall be sold and any changes with respect thereto from those terms which were before the Board at the time of its adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in Section 1 of this Resolution (the “Parameters”); and

Whereas, the County Council of Iron County, Utah (the “County”), by its Resolution dated the date hereof (the “County Resolution”) has or is expected to authorize, approve and direct the execution of the Master Lease by the County and to authorize the issuance of the Series 2021 Bonds and the financing of the Project by the Authority and to further authorize the execution of the Master Lease, the Master Resolution and certain other acts to be taken by the Authority in connection therewith; and

Whereas, there has been presented to the Board at this meeting a certificate demonstrating that the useful life of the Project exceeds the final maturity of the Series 2021 Bonds;

Now, therefore, it is hereby resolved by the Governing Board of the Municipal Building Authority of Iron County, Utah, as follows:

Section 1. The Board hereby finds and determines that it is in the best interests of the Authority and its residents to issue not more than Five Hundred Thousand Dollars (\$500,000) aggregate principal amount of the Authority’s Lease Revenue Bonds, Series 2021, to bear interest at a rate of not to exceed three percent (3.00%) per annum, to mature in not more than thirty-three (33) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof for the purpose of (i) financing the construction of the Project and (ii) paying costs of issuance, all pursuant to this resolution (this “Resolution”), the Master Resolution to be entered into at the time of issuance of the Series 2021 Bonds substantially in the form attached hereto as Exhibit B, the Master Lease substantially in the form attached hereto as Exhibit C and the Deed of Trust, substantially in the form attached hereto as Exhibit D. The issuance of the Series 2021 Bonds shall be subject to the final approval of Bond Counsel and to the approval of the Attorney for the Authority.

Section 2. The Authority hereby authorizes, approves and directs the leasing of the Project by the Authority to the County in the manner provided in the Master Lease.

Section 3. The Master Resolution, the Master Lease and the Deed of Trust, are hereby authorized, approved, and confirmed. The Chair/President or Vice Chair/President and the Secretary-Treasurer are hereby authorized to execute and deliver the Master Resolution, the Master Lease and the Deed of Trust, in substantially the same form and with substantially the same content as the forms presented at this meeting for and on behalf of the Authority with final terms as may be established for the Series 2021 Bonds by the Designated Officers within the Parameters set forth herein and with such alterations, changes or additions as may be necessary or as may be authorized by Section 4 hereof.

Section 4. The Designated Officers and other appropriate officials of the Authority are authorized to make any alterations, changes or additions to the Master Resolution, the Master Lease, the Deed of Trust, the Series 2021 Bonds, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2021 Bonds (within the Parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Board or the provisions of the laws of the State of Utah or the United States.

Section 5. The form, terms, and provisions of the Series 2021 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Master Resolution. The Chair/President or Vice Chair/President and Secretary-Treasurer are hereby authorized and directed to execute and seal the Series 2021 Bonds and to deliver said Series 2021 Bonds to the Purchaser. The signatures of the Chair/President or Vice Chair/President and the Secretary-Treasurer may be by facsimile or manual execution.

Section 6. Upon their issuance, the Series 2021 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2021 Bonds and the Master Resolution. No provision of this Resolution, the Master Resolution, the Master Lease, the Deed of Trust, the Series 2021 Bonds, or any other instrument, shall be construed as creating a general obligation of the Authority, or of creating a general obligation of the County, the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the County or its taxing powers. Except as otherwise provided in the Master Lease, the County shall not be obligated to pay out of its funds, revenues, or accounts, or to make any payment in respect of the Series 2021 Bonds, Base Rentals, Additional Rentals and Purchase Option Price pursuant to the Master Lease (as those terms are defined in the Master Lease). The obligation of the County to pay any such rentals and the obligation of the Authority to pay the Series 2021 Bonds will not constitute a general obligation or a debt of the County, the State of Utah or any political subdivision of the State of Utah. The Series 2021 Bonds are not an indebtedness or a liability of the County or the State of Utah. The Authority has no taxing power.

Section 7. The Designated Officers and other appropriate officials of the Authority, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Authority any or all additional certificates, documents and other papers (including, but not limited to, tax compliance procedures and security documents related to the Project) and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 8. After the Series 2021 Bonds are delivered to the Purchaser, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the Series 2021 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Master Resolution.

Section 9. The Authority shall hold a public hearing on November 22, 2021, to receive input from the public with respect to the issuance of the Series 2021 Bonds, which hearing date shall be not less than fourteen (14) days after notice of the public hearing is (A) first published once a week for two consecutive weeks in the Spectrum, a newspaper of general circulation in the County, (B) published on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended, and (C) posted on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The Secretary-Treasurer shall also cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the office of the Secretary-Treasurer in Parowan, Utah, for public examination during the regular business hours of the County for a period of at least thirty (30) days from and after the last date of publication thereof. The Authority directs its officers and staff to publish a Notice of Public Hearing and Bonds to be Issued in substantially the following form:

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN that on October 25, 2021, the Governing Board (the "Board") of the Municipal Building Authority of Iron County, Utah (the "Authority") adopted a resolution (the "Resolution") declaring its intention to issue its Lease Revenue Bonds, Series 2021 (the "Bonds") (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Authority) pursuant to the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended, and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, and calling a public hearing to receive input from the public with respect to the issuance of the Bonds.

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Authority shall hold a public hearing on November 22, 2021, at the hour of 9:00 a.m. The location of the public hearing is 68 South 100 East, Parowan, Utah. The purpose of the public hearing is to receive input from the public with respect to (i) the issuance of the Bonds and (ii) any potential economic impact that the improvements, facility, or property financed in whole or in part

with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE BONDS

The Authority intends to issue the Bonds for the purpose of (i) financing the construction of a new fire station facility and all related improvements and related improvements (the "Project") and (ii) paying issuance expenses to be incurred in connection with the issuance of the Bonds.

PARAMETERS OF THE BONDS

The Authority intends to issue the Bonds in the principal amount of not to exceed Five Hundred Thousand Dollars (\$500,000), to bear interest at a rate of not to exceed three percent (3.00%) per annum, to mature in not more than thirty-three (3e) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof.

The Bonds are to be issued and sold by the Authority pursuant to the Resolution, including as part of said Resolution, the draft of a Master Resolution (the "Master Resolution"), a Master Lease Agreement (the "Master Lease") and a Deed of Trust and Assignment of Rents (the "Deed of Trust") which were before the Board and attached to the Resolution at the time of the adoption of the Resolution and said Master Resolution, Master Lease and a Deed of Trust and are to be adopted by the Board in such form and with such changes thereto as shall be approved by the Board upon the adoption thereof; provided that the principal amount, interest rates, maturity, and discount of the Bonds will not exceed the maximums set forth above.

Copies of the Resolution, the Master Resolution, the Master Lease and the Deed of Trust are on file in the office of the Secretary-Treasurer of the Authority located at 68 South 100 East, Parowan Utah, where they may be examined during regular business hours of the Secretary-Treasurer from 8:00 a.m. to 5:00 p.m. Monday through Friday, for a period of at least thirty (30) days from and after the last date of publication of this notice.

SECURITY FOR THE SERIES 2021 BONDS

The Series 2021 Bonds are to be issued under and secured by and entitled to the protection of the Master Resolution, pursuant to which all base rentals payable by Iron County, Utah (the "County") under the Master Lease and, if paid by the County, the Purchase Option Price, are assigned to secure the payment of principal of, interest on, and premium, if any on the Series 2021 Bonds. Additionally, a security interest in the Project shall be granted to the holders of this Series 2021 Bonds pursuant to the Master Lease, to further secure the Authority's obligations under the Master Resolution.

OUTSTANDING BONDS SECURED BY LEASE REVENUES

The Authority currently has \$0 of bonds outstanding secured by lease revenues.

OTHER OUTSTANDING BONDS OF THE AUTHORITY

Information regarding all of the Authority's outstanding bonds may be found in the County's audited financial report (the "Financial Report") at <https://reporting.auditor.utah.gov/searchreport>. For additional information, including any more recent than as of the date of the Financial Report please contact, Jon Whittaker Clerk at (435) 477-8340.


TOTAL ESTIMATED COST

Based on an estimate of the current interest rate and financing plan, the estimated total debt service cost of the Bonds, if held until maturity is \$290,640.00.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the last date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Master Resolution, Master Lease and Deed of Trust or any provision made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any

cause whatsoever, and (ii) registered voters within the Authority; may sign a written petition requesting an election to authorize the issuance of the Series 2021 Bonds. If written petitions which have been signed by at least twenty percent (20%) of the registered voters of the County are filed with the Authority during said thirty (30) day period, the Authority shall be required to hold an election to obtain voter authorization prior to the issuance of the Series 2021 Bonds. If fewer than twenty percent (20%) of the registered voters of the County file a written petition during said thirty (30) day period, the Authority may proceed to issue the Series 2021 Bonds without an election.

DATED this October 25, 2021.


Secretary-Treasurer

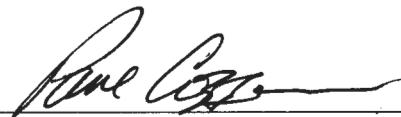


Section 10. The Authority hereby expresses its intent that funds of the County or the Authority maybe advanced for Project costs and that it intends to reimburse such costs from proceeds of the Series 2021 Bonds.

Section 11. The Authority hereby reserves the right to opt not to issue the Series 2021 Bonds for any reason.

Section 12. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this October 25, 2021.

By: 
Chair/President Pro Tempore

ATTEST:

By: 
Secretary-Treasurer



RECONVENE AT THE IRON COUNTY COMMISSION

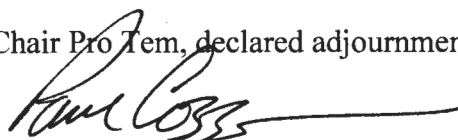
Paul Cozzens, Iron County Commission Chair Pro Tempore, declared the reconvening of the Iron County Commission.

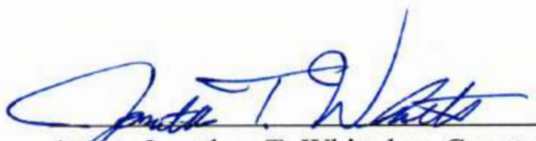
NON-DELEGATED ITEMS

No Non-Delegated items presented.

ADJOURNMENT

Paul Cozzens, Iron County Commission Chair Pro Tem, declared adjournment.


Signec: Paul Cozzens, Chairman Pro Tempore


Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

November 8, 2021

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November 8, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Chad Dotson	County Attorney
Dan Jessen	County Auditor
Danny Stewart	County Economic Development
George Colson	County Emergency Management
Jennifer Bradbury	County Human Resource
Reed Erickson	County Planner
Shain Manuele	County Public Defender
Ken Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT	9
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
CONSERVATION EASEMENT (APN’S D-358-2, D-358-1-367-1).....	6
DEPARTMENTAL REPORTS.....	2
INVOCATION	1
MOU BETWEEN IRON COUNTY & BUILDING ZONE INDUSTRIES, LLC	8
MOU BETWEEN IRON COUNTY & FIDDLER’S CANYON, LLC	7
MOU WITH APPALOOSA SOLAR.....	7
NON-DELEGATED ITEMS.....	9
PERSONNEL	8
PLEDGE OF ALLEGIANCE.....	2
PRESENTATION OF THE IRON COUNTY 2022 TENTATIVE BUDGET	8
PUBLIC COMMENTS	5
PUBLIC HEARING, COYTE RANCH MINOR SUBDIVISION – 1 LOT (APN: C-752-2).....	5

INVOCATION

An invocation was offered by Michael Bleak.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Marilyn Wood.

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meetings held October 25, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Abstained; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM OCTOBER 25, 2021 TO NOVEMBER 7, 2021

Marilyn Wood made a motion to approve the Claims for Payment from October 26, 2021 to November 7, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Jonathan Whittaker, Iron County Clerk, reported that there was an increase in Solid Waste with 3,848 accounts - up 134 in 2020, 409 Marriage License – down 24, 259 Certified Marriage License – up 70, 297 Business License – up 31, 182 Passports – up 17, 183 Passport Photos – up 12, 70 Sewer Impact fees – up 12, 69 Property sales – up 19, 28, 379 Active voter numbers – down 534, and 4,677 Voter registrations processed from January 1st through November 5th. Jon reported that the Clerk budget was on track. Vehicle fuel would be over due to gasoline prices. Under Elections, Tools, Furniture and Supplies, would likely be over budget. The Iron County School District bond was not budgeted and he would need to request a budget adjustment. Jon noted Iron County would be reimbursed by the municipalities and the Iron County School District for assisting them with their election. He explained that the ballots were sent out later than anticipated so Early Voting was held a week before the election. The Municipal General Election went smoothly. He explained that many ballots were dropped into the ballot boxes provided on election day. Canvases would be held this week. Jon explained that Election results were not final on the night of an election. Election results were finalized on the day of the Canvass. Michael Bleak expressed his appreciation for all the work and late nights, that Jon did for the county.

Chad Dotson, Iron County Attorney, reported domestic violence cases continued to increase. At the present time there were 1,501 cases to process for prosecution. Chad reported on the major crime statistics from January 1st to November 7th. Those include: 82-Assaults, 2-(attempted) Homicides, 38-Sexual Assaults, 13-Child Abuse, 129-Theft/Property, 26-Fraud, 115-DUI, and 473-Drugs. There was a three day trial held for a rape of a child and the person was found guilty on all counts. Chad noted that recent opioid litigation had some proposed settlements. He would be meeting with the Attorney General's Office at the Utah Association of Counties (UAC) convention this week to discuss the proposed settlements. There was discussion that if all counties joined together on the settlement it might have an improved outcome. Chad reported that his office was fully staffed with the new hire of Attorney David Hill from Arizona. The Attorney's Office provided a presentation at Canyon View High School during their Red Ribbon Week regarding sexting and sexual assault and consent. There was training held for Law Enforcement regarding "use of force" to help them rationalize and think through their actions. He noted that the budget was on track. He would be meeting with the General Attorney's Office, and other Attorneys throughout the State, later today regarding the Occupational Safety and Health Administration (OSHA) mandate on vaccinations. Chad expressed his appreciation to his staff and the support from the Iron County Commission. Marilyn Wood asked Chad if his office tracked suicide numbers. He said no, but Michael Bleak would have those numbers.

Jennifer Bradbury, Iron County Human Resource (HR) Director, reported that the budget was on track. Since the last H.R. report, they had posted, interviewed, and hired 8 Full-time employees and 2 Part-time employees. H.R was in the process of hiring 1 Full-time Administrative Assistant in the Engineers Office, 3 Full-time Deputy 1 in the Sheriff's Office – November 8, 2021

Corrections, and 1 Full-time Deputy 1 in the Sheriff's Office – Patrol. Jennifer noted that H. R. was not currently posting or recruiting for any positions. Turnover year to date was 15.32% or 38 positions. In comparison, turnover for 11 months of 2020 was 10.48% or 31 positions. She reported that she would be scheduling an Accident Review Board meeting by year's end to discuss accident claims for 2021. Insurance and other benefit open enrollment would begin today and continue throughout the week. Every full-time Iron County employee would need to attend an enrollment session even if they were opting out. She expressed her appreciation to Betsy Cummings and Carrie Christiansen for all the assistance they provided during open enrollment. Most Employee evaluations had been submitted and she would be reaching out to those department heads who haven't submitted their evaluations. Jennifer noted that there were some milestone employee Anniversary's this quarter: Preston Nelson, Kim Hunter (Roads Department), Brenda Buttrey (Justice Court), Shane Klenk (Attorney's Office, Dan Jessen (Auditor) all celebrated 5 years with Iron County. Luke Simkins (Landfill) celebrated 10 years, and Jared Wilson (I.T.) celebrated 20 years with Iron County.

Shain Manuele, Iron County Public Defender, reported that the budget was on track. Shelby Throne was hired for the Legal Administrative position. She was currently working with public defenders but her main task would be to track cases. In person trails were being held again and they were busy trying to put a dent in backlog cases from 2020-2021. Shain noted that he had received an e-mail from the Indigent Defense Commission stating there was an option for one-time funding from January through June 2022.

George Colson, Iron County Emergency Management Manager, reported that the budget was on track. There was an overage with fuel at 109% as a result of increased gas prices. George noted that he participated, as a safety Officer, in an airport mass causality exercise held in St. George. The exercise was required every 3 years by the Federal Aviation Administration (FAA). George noted that he continued to deliver masks to the 5th District Court and Justice Court. He was pleased that he had received a new trailer to replace one that had been stolen. He was having a difficult time locating taller shipping containers to store equipment. He wanted 6 of them and everyone wanted him to rent but not purchase them. Paul Cozzens noted that he had talked with Mike Green, Southwest Plumbing, over the weekend and they might have some that he could purchase. George reported that he continued to assist Paragonah and Parowan with their Emergency Operation Plan process. He noted that Iron County had been paying for and repairing New Harmony's paging service which should be handled by Washington County. He stated that he had sent a bill to the Washington County Fire Department and Iron County should not have to cover the costs any longer. He supplied the Southwest Livestock & Heritage Show with hand washing units. Marilyn Wood expressed her appreciation to George for supplying the units.

Kathy Riggs, USU Extension, presented Marilyn Wood with a box of chocolates for appreciation from the Extension Office for all she had done as their liaison. She explained that it was dark chocolate from South Africa. Kathy introduced her staff members that were present: Jamee Joseph (4-H-Youth Service Learning), Ashley Tullis (Assistant), Randall Violett (Agriculture & Natural Resources), Emma Whitmore (4-H Youth Programs & Community Coordinator II) and Erica Miles (After school programs). She noted that the budget was on track. Kathy expressed her appreciation to the commissioners for their support. The 4-H-Afterschool Mentoring program was doing well. Elementary programming had served approximately 50 disadvantaged youth. The Department of Workforce Services (DWS)/State Office of Childcare Grant and local funding totaled just over \$60K. The Middle School programming received a new Office of Juvenile Justice Grant partnering with Utah and Duchesne Counties to provide mentoring opportunities for at-risk youth. Iron County would be able to serve 75 youth annually over three-years from federal funding of approximately \$60K annually. Kathy reported that the USU Extension had partnered with Iron County Care and Share, Farmer's Market at IFA and the Paiute Tribe to teach nutrition, food preservation and safety. They would teach lessons monthly to Native adults. Videos were distributed through the Paiute Tribe service director and reached approximately 45 members. They would also be teaching local Hispanic families every month reaching approximately 15 families. She explained that there continued to be a shortage of genuine Ball/Kerr canning supplies, especially jar lids. Many had fallen victim to fakes trying to

pass themselves off as genuine and many had lost \$100 or more in supplies and endless loss of food that was in jars with buckled lids. The Freeze Dryer had been used 21 times by 8 different clients to preserve approximately 60 lbs. of fruit, vegetables, meat, dairy products and sweets. The Freeze Dryer was currently in Salt Lake City receiving an overhaul. Kathy noted that they had partnered with Southern Utah University's Science, Technology, Engineering, Math (STEM) Center to provide STEM education to every elementary school in the county through STEM nights and reached over 1,500 youth. The 4-H program provided day camps & clubs, participated in the Southwest Livestock Show, Embryology, participated in county contest, state horse shows, state robotics, farm field day, and many more activities for youth. Ms. Riggs reported that Candace Schaible was one of the best Master Gardeners in the State of Utah. She worked with Horticulture & Water wise Landscape. In 2019, the USU Extension received approximately \$75K in USU water initiative funds and \$75K in matching funds from a local home builder & plant nursery to create a "demonstration street" in Cedar City. There were 9 homes showcasing low water, low impact, sustainable landscaped front yards. The goal of the project was to demonstrate that sustainable landscape designs coupled with climate-appropriate plantings and efficient water management, use significantly less water and have a lower environmental impact when compared to traditional landscapes. There would be a website, <https://www.usudemonstrationstreet.com/>, where information could be obtained. Randall Violett had been working hard with Agriculture and Natural Resources. He had inherited the program 18 months ago and continued to develop his own research. Natural Resource Management issues ranked as the most important issues for Extensions to address. The Cedar Mountain Initiative (CMI) was currently funding four research projects that would address natural resource management issues. The projects include aspen tree decline, supplementation of minerals to sheep grazing on the mountain, condor interaction with predators and mosquito management for pollination. The projects were being used as a graduate students projects and would produce three master's degree theses.

Marilyn Wood, Iron County Commissioner, reported that on October 26th, she and Paul Cozzens went to Escalante Valley and met with Mayor Humphries of Enterprise others. It was a great and informative meeting regarding their concerns in the area. Marilyn encouraged anyone with concerns to call one of the commissioners and they would meet with them. Parowan City Council held a Public Hearing on October 28th regarding the possible transfer of the Iron County Fairgrounds from Parowan City to Iron County. She assured everyone that Iron County would not move the fairgrounds and only wanted to improve the grounds. She noted that she would like to see a barn on the fairgrounds so kids could have a livestock show to prepare them for the Southwest Livestock Show. There was an information meeting at the Sheriff's Office on November 6th regarding the potential new jail. Sheriff Carpenter, jail staff, residents, Dan Jessen, Paul Cozzens and herself attended the meeting. Marilyn reported that the Iron County Jail was the oldest jail in the State of Utah. There were many issues with the current jail and there was no land available around the jail to expand it. The replacement was overdue and those involved were working through the process. Public hearings would be held throughout the process. The commission wanted to be transparent with any plans for the jail and fairgrounds. The Heritage Festival was wonderful and a great way to celebrate our heritage.

Paul Cozzens, Iron County Commissioner, thanked Dan Jessen, Iron County Auditor, for his presentation at the Jail information meeting on Saturday, November 6th. Paul reported that he had met with Carter Enterprise, LLC, Terry Palmer, and Lester Ross earlier this morning at the fairgrounds to lay out the concrete pad for new bleachers at the Fairgrounds. The fence that was located in front of the old bleachers would be removed. The pad would be placed higher and a retaining wall approximately 3 feet on the west end and 18 inches on the east end, would be installed. Grass would be placed from the retaining wall to the arena (just in front of the new center bleachers) which would add extra seating for patrons at the fair. He noted that he had helped with a Rotary Club project, along with many volunteers, to plant over 400 water wise plants at the Veterans Memorial Park on Tuesday November 2nd. On Saturday November 6th, they spread gravel to improve the appearance of the Veterans Memorial Park. Tyler Bleggi brought his Bobcat and made a great difference.

Michael Bleak, Iron County Commissioner, explained that he was absent from the last commission meeting as he had attended, along with Utah's Chamber of Congress, an Economic Development meeting in Washington DC. This year their time was well budgeted from 7:00 am until 10:00 pm each day. Part of the contingency were staffers from every Legislature Office. In prior conventions participants only had about 5 minutes to talk to Representatives. This year each Delegation had one hour to sit and have a question and answer session with the Legislatures. He reported that they had one morning session with the Legislative Director. The Legislative Director, and staff, read every word of every bill to make suggestions on how their boss should vote. Specifically, they discussed Inland Port issues and infrastructure. Michael noted that he was able to present an issue, from the Farm Bureau, regarding raising tariff costs of fertilizer and phosphates. Intermountain Farmers Association (IFA) would usually provide enough fertilizer for one year in their regional areas. In year 2020 it was approximately \$2M in wholesale inventory. Because of tariffs leveled against some Russian companies from off shore companies, which were absolutely needed and fair, a result was an increase in wholesale inventory of \$10M, and the increase would be passed to local buyers. He reported that Senator Mitt Romney was sponsoring a bill to allow more domestic mining of phosphates, and working on opening mining to offer opportunities once again. The Inland Port discussion had been going on for several years, and last month things were actually moving forward. Michael Bleak expressed his appreciation to Danny Stewart and his office for all the ground work that had been done for the Inland Port.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF THE COYOTE RANCH MINOR SUBDIVISION (1 Lot)

Reed Erickson, Iron County Planner, explained that the Minor Subdivision was located at 364 E. 3000 North, Parowan, UT, approximately 20 acres within the NW¼ NE¼ Section 36, T33S, R9W, SLB&M, APN: C-752-2, Zoned A-20. Reed reported that the owners did not make the August 14th deadline to have the property divided. A "Record of Survey" was done in 1999. It was amended to create a 20-acre lot, which was not done properly and made it an illegal lot. The applicant, Jonathan & Tiffany Bettridge, would like to make it a "Legal Lot of Record" so they could obtain a building permit. There was no road dedication, it was a one lot subdivision, and it had good access from a county road. Water would be provided from a private well, Sewer by septic, Electric available from private utility, and there were no requests for variations.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the Coyote Ranch Minor Subdivision - 1 Lot. No comments were offered. Michael Bleak declared the Public Hearing closed.

Reed Erickson noted that the Iron County Planning Commission Board reviewed the application and it was in conformance with Section 102 – Required Improvements. Paul Cozzens made a motion to approve the Coyote Ranch Minor Subdivision (1 Lot) located at 364 E 3000 North, Parowan, UT, approximately 20 acres within the NW¼ NE¼ Section 36, T33S, R9W, SLB&M (APN: C-752-2), Zoned A-20. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

Volney Morin, a citizen of Iron County, noted that previously the Iron County Commission created a subcommittee to evaluate Federal and State regulations that might violate the constitution. He was extremely concerned with executive overreach on the Federal level of a branch of the Executive Department, OSHA, issuing a vaccine mandate that affected private businesses. Mr. Morin stated that this completely violated the separation of powers and Articles 1-4 of the Constitution. He encouraged the Committee to convene to make a determination that this extra constitutional action by OSHA was unconstitutional. He stated that he thought this was very important for the people of the United States to stand up against this executive over reach, or the assumption of dictatorial powers by the Executive Branch.

William Pressgrove, citizen of Iron County, reported that at the previous Iron County Commission, the commission convened as the Iron County Commission, then adjourned as the

commission and convened as the Municipal Building Authority (MBA). Bill noted that they were the same three members on each board. The MBA voted to approve a bond and reconvened as the Iron County Commission and approved the item the MBA had just approved. He stated that the idea of having 3-4 different entities, that commissioners were members of those entities, was to circumvent some of the rules and regulation pertaining to who was responsible for repaying the bond. He felt that this was inappropriate to establish an entity to circumvent rules that apply to the previous entity. This does not lack the appearance of evil, when the same individuals were on several different committees and the only reason those other entities were established was to circumvent a rule or regulation of what the other entity was responsible for. He suggested that the commission look into the entities and find out why the other entities exist, and the reasoning for them. William closed by stating it was poor taste to do business that way.

DISCUSSION AND POSSIBLE APPROVAL OF A CONSERVATION EASEMENT TO UTAH DIVISION OF WILDLIFE RESOURCES (DWR) 563 ACRES OF PRIVATE PROPERTY, LOCATED IN SECTION 34, T37S, R10W, SLB&M (APN's: D-358-2 AND D-358-1-367-1)

Jessica Kinross, Impact Analysis Biologist, Utah DWR, reported that the Deep Creek Condor Conservation Easement consisted of 2 properties located on Cedar Mountain near Miners Peak. Purpose & Benefits of the easement was to conserve wildlife habitat, to protect agriculture use, and to protect the Upper Level Virgin River Watershed. Jessica explained that the California Condor was listed as Endangered under Ecological Society of America. This was an experimental population that was reintroduced to Utah. It was an important forage area for the Condor. This property was a critical habitat for the survival of condors. This was in thanks to the recently established Higbee Ranch-Andrus-Carter-UDWR Conservation Easement. The DWR was able to establish a management facility on the ranch property, which allowed biologists to trap condors to assess overall health and deploy tracking devices; both of which were integral to achieving the goal of a sustainable population in the region. This fall, the Peregrine Fund would begin utilizing the condor trapping site at the Higbee Ranch property. The property also contained mountain meadows and mountain habitat on the cliff side of the Virgin River watershed. This was to protect wildlife corridors, habitat connectivity, critical nesting, and fawning/calving habitat. They have found that Elk used the property. There had been 7 Sensitive bat species detected and several bird species such as: California Condor, Northern Goshawk, Peregrine Falcon, Lewis's Woodpecker, Flammulated Owl, Northern Pygmy Owl and the Mexican Spotted Owl. In terms of Agriculture and Ranching, there would be a continuation of traditional land use of more than 100 years. Another objective was to protect the economic use of the properties for the current landowners and their heirs. The Easement would be with the U.S. Department of Agriculture. Additionally, the easement would benefit the upper level of the Virgin River watershed upstream of Woundfin and Virgin River Chub critical habitat, Maintain water quality, Maintain long-term river processes (channel forming flows, sediment transport) and connectivity with protected river and floodplain habitat downstream of these properties. She reported that there had been many that supported the Project, including: Willing landowners, LeRay McAllister Critical Land Conservation Fund, Section 6 USFWS-Cooperative Endangered Species Conservation Fund Grants. They have partnerships with Utah Department of Agriculture, Peregrine Fund and many agriculture users. They had received letters of support from Virgin River Program, Peregrine Fund, Utah State Representative, and the Iron County Commission. Marilyn Wood asked if the condors on the site were brought into the state. Jessica explained that the current condor population was reintroduced into Utah. Marilyn Wood noted that there had been damage to property owners homes caused by the condors. She had received complaints of how destructive the condors were with their personal property. Marilyn asked if there was anything available for recuperation to those land owners for their losses. Jessica noted that there was nothing that she knew of but would look into it. Marilyn Wood asked if this was private property that the owner allowed the use for condors. Jessica noted that the easement was privately owned and the landowners had given them permission for the conservation easement and it would be left in the ownership name.

Marilyn Wood made a motion to approve a Conservation Easement to Utah Division of Wildlife Resources, 563 acres of private property, located in Section 34, T37S, R10W, SLB&M (APN's: D-358-2 AND D-358-1-367-1). Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL FOR A FIRST AMENDMENT TO THE IRON COUNTY MAMORANDUM OF UNDERSTANDING (MOU) WITH APPALOOSA SOLAR REGARDING A DATE CHANGE FOR THE ROAD CONSTRUCTION PROJECT ON LUND HIGHWAY

Reed Erickson, Iron County Planner, explained that the MOU request was regarding road improvements on Lund Highway. As a reminder, Appaloosa Solar had offered to help chip seal the road to move up the process. In the MOU, Phase 1 would be done entirely by Appaloosa Solar in the next month or two. They would begin construction for the access to the drive way, and each section was 1.4 miles. Phase 2 would be done and paid for by Iron County the following year. Phase 3 would be a cooperative effort between Appaloosa and Iron County and participation between Iron County and Appaloosa Solar would be determined at that time. There were other solar companies developing on the other side of the road and they may ask to participate then. This MOU did not specify whether Phase 1 would end at Horse Hollow road. Reed reported that the 3.86 miles in Phases 1,2 and 3 was what was specified in the CUP that Appaloosa Solar would be responsible to repair as a result of trucks going up and down the road. Reed reported that the previous MOU agreement stated that they would be done with the road repairs by the end of 2021, and it was not too late to complete the project in time. Reed reported that when the developer inspected the road he realized that it was worse than he expected. After the Iron County Engineer and Road Department evaluated the road it had been determined that there needed to be road base put in, it needed widening, and improvements to the culverts. Under the current MOU they would not be able to complete the road improvements. Appaloosa Solar was requesting to extend the deadline to July 1, 2022. The improvements would bring the road up to county road standards. Paul Cozzens made a motion to approve a first Amendment to the Iron County MOU with Appaloosa Solar regarding a date change to extend a road construction project on Lund Highway to July 1, 2022. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN IRON COUNTY AND FIDDLERS CANYON, LLC POTENTIALLY SUBMITTING A JOINT APPLICATION TO THE UTAH INLAND PORT AUTHORITY FOR APPROVAL OF A PROJECT AREA PLAN AND RELATED ITEMS

Danny Stewart, Iron County Economic Development Director, explained that Inland Port discussions had been ongoing for a long time. It was understood for decades that the most valuable Economic Resource in Iron County was the railroad that runs from Lund to Cedar City and I-15. Both were tremendously beneficial to Iron County. It would allow availability for other citizens, other than large businesses, to have access to commodities being distributed from the rail. The property that was discussed with Utah Inland Port Authority was to be able to load gypsum, coal, and mineral products onto the rail and out to market. There were approximately 280 acres south of Wecco on Iron Springs Road, owned by Fiddlers Canyon, LLC. This stretch of property had been designed for an oval track system and reviewed by Union Pacific. He noted that the MOU was to consider developing that sort of layout and to be able to get products onto the rail. The MOU would officially allow them to begin discussions of potential creation of a project area there, that was similar to creations of project areas that had previously been done with solar projects. Danny explained that the Inland Port Authority had received funds from the Utah State Legislature and placed them in an "Infrastructure Bank." Once a project area was created they could negotiate with Inland Port Authority for financial help with construction. The MOU was non-binding and was in place for 90 days, officially, and could back out after 180 days had gone by if nothing was being done. Michael Bleak expressed his appreciation for

Danny for all his work for and support of the Inland Port Authority. Danny noted that with the proposed MOU, it put Iron County ahead of any other location and allowed the Inland Port Authority to establish their own process. Marilyn Wood noted that local business were pushing for the Inland Port to move forward and getting the commission to approve it. This would benefit all businesses not just the larger businesses. Danny reported that he had been receiving phone calls weekly for quite some time from businesses to get some type of rail to load and unload products. Marilyn Wood made a motion to approve a MOU between Iron County and Fiddlers Canyon, LLC submitting a joint application to the Utah Inland Port Authority for approval of a Project Area Plan and related items. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN IRON COUNTY AND BUILDING ZONE INDUSTRIES, LLC POTENTIALLY SUBMITTING A JOINT APPLICATION TO THE UTAH INLAND PORT AUTHORITY FOR APPROVAL OF A PROJECT AREA PLAN AND RELATED ITEMS

Michael Bleak, Iron County Commission Chair, struck this item from the agenda.

PRESENTATION OF THE IRON COUNTY 2022 TENTATIVE BUDGET

Dan Jessen, Iron County Auditor, explained that there would be a presentation of the tentative budget when it was presented at the public hearing. The tentative budget had to be filed by November 1st. The tentative budget had been filed and was under construction and would be presented before the public hearing and the final budget was presented. Specifically, the reason that the tentative budget was still under consideration was that Commissioner Bleak had been absent for 2 weeks. With the administrative discussions that would be held he wanted Commissioner Bleak in attendance. The Legislative Body, the Iron County Commission, would discuss any issues and approve the final budget. The large ticket items on the tentative budget, larger than \$5K, and personnel requests had not been discussed. When all discussions and details had been completed, they would be put into the tentative budget and placed online.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Kathryn Grundstedt as a Part-time Assistant Cook for the Council of Aging, effective October 20th. This was a backfill of a vacant position. Paul Cozzens made a motion to approve the new hire of Kathryn Grundstedt as a Part-time Assistant Cook for the Council of Aging, effective October 20th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented a request to convert 2 Part Time Technicians to 1 Full Time benefited position in the Information Technology (IT) Department. It was difficult to hire new personnel Part Time and retain them. Michael Bleak asked if a Part Time position had been approved but not filled. Jennifer Bleak replied that there had been 2 Part Time employees and Erwin Figueroa-Granados was the employee that was approved and had filled the Part Time position. The second Part Time position had not been filled. The benefit package would cost \$20,170.59. Marilyn Wood felt that a Full Time employee was better to retain than a Part Time employee. Michael Bleak noted that he had met with Jared Wilson, IT Director, concerning the employee issue. This was an opportunity to retain a great employee and maintain office efficiency. Marilyn Wood made a motion to approve the conversion of 2 Part Time IT Technicians to 1 Full Time benefited position in the IT Department. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer presented for approval to convert Erwin Figueroa-Granados from Part Time to Full Time benefitted status for the IT Department, effective November 14th. Paul Cozzens made a motion to convert Erwin Figueroa-Granados from Part Time to Full Time benefitted status in the IT Department, effective November 14th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

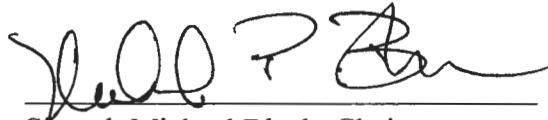
NON-DELEGATED ITEMS

Prairie Dogs

Michael Bleak, Iron County Commission, expressed his appreciation once more for Jessica Kinross. When the Prairie Dog issue had been before the commission in the past, Jessica had to attend each commission meeting to provide numbers and costs per prairie dogs. She was great to work with and he appreciated working with her.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Chairman



Attest: Jonathan T. Whittaker, County Clerk



**IRON COUNTY COMMISSION MEETING
NOVEMBER 22, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. November 22,
2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Dan Jessen	County Auditor
Richard Wilson	County Chief Engineer
Shalon Shaver	County Corrections Commander
Sam Woodall	County Deputy Attorney
Wade Adams	County Fleet Manager
Jennifer Bradbury	County HR Director
Reed Erickson	County Planner
Michael Worthen	County Resource Director

SYNOPSIS

ADJOURNMENT	11
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
DEPARTMENTAL REPORTS.....	2
INVOCATION	1
IRON COUNTY 2022 COMMISSION MEETING SCHEDULE	10
NON-DELEGATED ITEMS.....	10
PERSONNEL	10
PLEDGE OF ALLEGIANCE.....	1
PUBLIC COMMENTS	4
PUBLIC HEARING, AGGREGATE PRINCIPAL LEASE OF REVENUE BONDS	8
PUBLIC HEARING, IRON COUNTY 2022 PROPOSED FINAL BUDGET	9
PUBLIC HEARING, POTENTIAL TRANSFER OF FAIRGROUNDS	6
VEHICLES TO BE SOLD ON THE PUBLIC SURPLUS WEB SITE	10

INVOCATION

An invocation was offered by Sam Woodall.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meeting held November 8, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM

Paul Cozzens made a motion to approve Claims for Payment for November 8, 2021 through November 21, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Dan Jessen, Iron County Auditor, reported that he was in the process of amending the Iron County 2021 final budget. This would be the last opportunity to make any amendments. Dan explained that he would review the budget line by line. An email was sent to all departments asking them to not wait until December to make any last minute expenditures. He had previously talked with the commissioners regarding doing an in-house Comprehensive Annual Financial Report (CAFR). Dan explained that CAFR had been changed to Annual Comprehensive Financial Report (ACFR) due to CAFR being a racist term in South Africa. The software from Tyler, to run the ACFR program, had not yet been installed. This had been in the works since May and the software company had many employee turnovers which resulted in the delay of installation.

Wade Adams, Iron County Fleet Manager, reported that new vehicles were beginning to come in from Young Automotive. He had received 2 Toyota Camrys and 3 Ford Explorers. Two F150's that were scheduled to be delivered in October would now be arriving in January. Young Automotive notified him that the F150's would be upgraded to the 2022 models for no extra charge. Wade noted that he had sent out a Request for Proposal (RFP) for a service and maintenance contract. He had been working with Dan Jessen on a Vehicle Analysis program which would show vehicles' best resale value, which vehicles were trending, etc. Paul Cozzens asked if he had gotten someone to repair the roof of the new road shed. Wade reported that he had not and was waiting for insulation to be installed, and a bid for the roof work. Marilyn Wood asked Wade if he would put together a meeting with the Iron County Commission, Brian Head Mayor and Parowan (any parties involved) regarding a traffic study that was completed on the Dry Lakes Road.

Shalon Shaver, Iron County Corrections Commander, reported that the budget was at 72.67% (unofficially). Total Jail revenue was \$819,761.95. Total bookings from September 1st through November 18th were 351. There were currently 148 total inmates (10 State and 40 Federal). Lieutenant Shaver noted that there were enough inmates that qualified for Work Crew and they worked at the Iron County Fair, at Woods Ranch moving fence and tree clean-up, at the Five Mile campground installing new fence, and clearing the Jackson Wash Road. She reported that the new Staff Nurse specialized in wound care which had been very beneficial for the Jail. Planned projects and expenditures were: medical office expansion, J block door (searching for a mason who was willing to work in the facility), Sewer/grinder installation, and planning of the new jail. Marilyn Wood expressed her appreciation for the work crew. They were hard working and provided great services for Iron County.

Marilyn Wood, Iron County Commissioner, reported that on November 16th there was a review meeting regarding the possible transfer of ownership of the fairgrounds from Parowan City to Iron County. The fairgrounds had a lot of great potential. Parowan City did not have the funding to improve and expand the fairgrounds and both Parowan City and Iron County seemed to agree to the proposed transfer, with some details to be ironed out. Marilyn reported that she had attended the annual Utah Association of Counties (UAC) meetings on the 10th-12th in St. George. On Wednesday they discussed information coming from Washington DC that was alarming. Ken Ivory, a former member of the Utah House of Representatives, and an expert on public lands, spoke regarding President Biden's 30x30 Initiative "America the Beautiful." The goal was to conserve at least 30% of all lands and water in the U.S. by 2030 and private lands

were not exempt. This was of great concern to ranchers and farmers. Some counties in Utah were 90% public lands and economic development and agriculture would be harmed by this. On the 19th, there was a public lands zoom call, offered through UAC, on the topic of the Legislature's plan to remove Law Enforcement from cattle brand inspections. A brand inspector was required to be present as cattle were loaded onto trucks. This prevented cattle from being moved over state lines illegally. If passed, this would be a hardship to cattlemen.

Paul Cozzens, Iron County Commissioner, reported that Iron County continued working on flood mitigation. Curtis DeMille, Iron County Road Department, finished clearing flood channels in Kanarrville and was now clearing flood channels in Paragonah. The preparation for the new Newcastle Fire Station was moving forward and should be ready for bid soon. On the topic of the proposed new Jail Facility, Paul explained that he was elected as a Commissioner 3 years ago and he did not like to tear down old buildings and would rather remodel them. While he was on the Cedar City Council a debate about replacing the concessions building at the Bicentennial ballfields was ongoing and he fought against it and although in the minority. He stated that he was not in favor of demolishing East Elementary as planned. Paul reported that he was a cabinet maker and worked in Sevier County on several remodeling projects. When he was elected to the commission he was adamant, and very opposed, to tearing down the jail and wanted to remodel it. He noted that as he learned more about the process and challenges the Iron County Jail was facing, it became apparent that the facility needed to be replaced. The Iron County Jail was the oldest jail in Utah. He approached Frank Nichols about building a new jail building in the Iron Springs area. There was land available behind the Iron County animal shelter next to an RV park. He did not feel it would be very conducive to place a jail right next to an RV park. He discussed trading property further away from developed areas, but the challenge with going further out was a lack of available utilities. Law Enforcement approached the commissioners and explained that it would be a real challenge to have it that far out. Paul noted that he would like to propose pausing the process and give it more time and look at all options for a new correctional facility. The commissioners would welcome any suggestion, and if anyone was aware of a different site they would look into it. The Conditional Use Permit (CUP) was in process with Cedar City for the site near Smead. He talked with Sheriff Carpenter last night and once a site was chosen it would create a lot of interest. The discussion of a new jail facility had been ongoing for many years, even before Paul was on the commission. The process needed to slow down and allow time to hold town hall meetings when the sheriff could provide more information and receive feedback.

Michael Bleak, Iron County Commissioner, explained the meeting structure of the Iron County Commission. The agenda was split into 2 sessions: a 9:00 a.m. session for administrative business. Public comments could be heard during the 10:00 a.m. session and not before. By law, the commissioners could not comment back or answer questions if the topic was not an agenda item. Michael noted that during break a list could be gathered with people who were interested in the proposed correctional facility. He suggested that localized meetings could be held to discuss individual issues. with person(s) of contact from different areas that could be used to arrange local meetings. At those meetings individual issues could be discussed. He explained that discussions regarding a new jail facility had been taking place prior to this current board of commissioners for at least 5 years. Michael expressed that the commissioners wanted to hear input regarding the jail and would always include the public when discussions came up. At this point a piece of property was being considered that may work for a location. There was not a conditional use permit in place but it appeared to be the best option thus far. No plans nor engineering had been drawn up. This was very early in the process and there was not much information to share. When information was available it would be shared immediately and input would be accepted each time. He noted that he would move agenda Item #4, Public Comments to Item #1 to accommodate those that were present to comment.

Michael Bleak reported that the Inland Port Project was moving forward. The last Memorandum of Understanding (MOU) was signed, between the county and land owners, which gave permission to move forward in the process. He explained that Inland Port would give Iron County the ability to transport goods from all regions and ship them by rail to ports to make the

supply chain faster. There were some exciting partnerships with private land owners that had helped spur the Inland Port Authority of Utah to consider Iron County as a regional hub. The proposed Inland Port would help boost the economy in Iron County. Michael noted that an Innovation Center opened at Southwest Technical College that would be a great resource to small businesses. It would help individuals or businesses that had a product idea to prototype it. This Innovation Center had the resources that would help move an idea to manufacturing and to market. He, Danny Stewart, Iron County/Cedar City Economic Development Director, and Isaac Askeroth, Director of said Innovation Center, visited small businesses and to line them up with the Innovative Center to help move their products forward. The center would be a great benefit for small businesses.

PUBLIC COMMENTS

Kevin Smith, a resident of Equestrian Pointe, noted that unless, or until, something better came along he supported the industrial prison complex, law enforcement, the judicial system, apprehending and conviction of criminals, a new jail providing temporary housing, the 40 acres that would have 2 new jail pods. He was optimistic and fearful that the 40 acres would not just have two pods and more were planned for the future. He moved into Equestrian Point from California to avoid the crime that took place there and respectfully opposed building the new jail so close to his property.

Mike Twitchell, a resident of Equestrian Pointe since 2009, stated that generally speaking no one had a problem for the need of a new jail and recognize it was old. Mike thanked Commissioner Cozzens for his desire to slow down the process. His main concern was being thoughtful to the location of the jail. The residents of Equestrian Point just completed a fight to keep high density housing away from them, so their feelings were tender and were quick to the fight. He pleaded with the commissioners to be thoughtful of their feelings when choosing the location of the jail and what it might do to their community. Equestrian Point was one of the top 5 sub-communities in Cedar City where million dollar homes were located. He recognized that Fiddlers Canyon had the current jail facility there and homes all around it. Those home owners chose to live there after the facility was built. Cedar City would continue to grow west with a great deal being residential, and perhaps there was a better location.

Chris Uchman, a resident of the Hunter Glenn area for 12 years, reported that he and his wife moved from California, though his wife was born in Panguitch. While he lived in California he served 10 years as a law enforcement professional dealing with large fraud cases, and lived one half mile from Folsom State Prison. Chris asked why the county was purchasing 40 acres of land when the current jail was on 3-4 acres. If a new jail, or Sheriff's Office, needed to be built then build it. The Sheriff's jurisdiction was the county and unincorporated areas. Cedar City was relying on assistance from Iron County because they did not have a large amount of Police Officers. The proposed site was away from a medical facility "bleed out" area and emergency services. Mr. Uchman stated that there was property off of Canyon Ridge Road, along with state and city property that would be a better site for the jail.

Nichole Mayerhofer, SWTC Community Relations, reported that she had been in education for over 8 years. Her concern was a priority of inmate needs versus children's needs. Money that was going to be spent on property to build a new jail should be spent on education for the children of Iron County. Ms. Mayerhofer noted that she had moved from California and was a resident of Iron County for 14 years and had not seen any improvements during that time.

Steve Miller, a resident of Monte Vista Subdivision for 2 years, agreed with the others about the need for a new facility and his largest concern was the location. The jail would be too close to their subdivision, the lights would be a distraction, and he did not want to experience any lockdowns. Steve thanked Commissioner Cozzens for wanting to slow down the process. He noted that the commissioners did not want to build the jail by a RV park but by him and his neighbors. He would rather pay higher taxes than have the jail at that location.

Dan Joachimstaler, a resident of Equestrian Pointe, reported that he had been in law enforcement for 28 years and had been a first responder for over 30. Dan expressed that placing a massive jail complex in that location was insane. In 2019, Department of Justice stats, there

were over 2000 escaped inmates in Utah. This proposed location was too close to schools and multiple daycare facilities. The jail would be better in an industrial area. The area North of the current location was already zoned for residential neighborhoods. No one could regulate the type of inmates coming into the facility. Why couldn't the facility be built next to the Inland Port near the landfill?

Kurtis Hayden, a resident of Equestrian Pointe since 2003, explained that he understood needs for a new jail facility and just not sure it was the best location. One consensus from his neighbors was that they couldn't attend the Commission morning meetings in Parowan. Mr. Hayden reported that he had had multiple options every day from those moving in from California to purchase his home. If this gets voted through, and his concerns become a problem, then he would move to Koosharem to live. He would like to hear more and receive answers to his and others concerns.

Saralee Joachimstaler, a resident of Equestrian Pointe, reported that she had worked in jail facilities and had some firsthand knowledge of them. Saralee noted that Heavenly Father had instructed us to "Put on the armor of God" to protect their children, families, animals and land. Putting a prison next to them did not protect families and was not a good idea. Working in the jail she had seen many coming in and going out, and some returning. Cedar City was a great small family oriented town. If the jail was build it would increase water concerns. Inmates would have use to unlimited water that everyone else had been asked to conserve. The jail would bring in more violence and corruption.

Kristen Demas, a resident of Iron County, expressed her concerns regarding a nearby train track. On Wednesday morning she took her children to Middle School and had to wait on the train to pass numerous times until she became aware of the schedule. Her family bought their home to live in forever and felt that the jail would take away choices she already made. If something were to happen in the jail, who would come to help? Escapes were rare but once that one escaped inmate harms someone you can't take it back.

Becky Graf, a resident of Iron County, echoed the concerns of those that had spoken. Becky was concerned with the long term vision of the proposed correctional facility and Iron County broadly. The results of a 2050 vision were released and Iron County had an expectation of a 147% population increase by 2050. For every 2 homes one more would be added. There would be more congested subdivisions and growth would spread West and North. Infrastructure cut sooner than later. Ms. Graf stated that the 1.1M set aside in the Iron County 2022 budget should be used for infrastructure of Iron Springs Road.

Allison Wulle explained that she moved to Cedar City in July from Sandy, Utah to a better place to start a family in a great community. She asked why the new jail facility was not on ballot to be voted on. So many children's needs were more important than a new jail.

Tim Weston, a resident of Equestrian Pointe, moved from California and chose to live in Cedar City. They sold everything to bring their family to a safe neighborhood. In California their kids were never allowed out of their site, and now they could move freely in their neighborhood. Placing a jail facility by a neighborhood that walking distance from a school was unacceptable. He chose not to live within Cedar City limits and was concerned his rights would be taken away.

Betty McKenna, resident of Sycamore Trail Subdivision, reported that she lived 2 miles from the proposed jail site. She believed the project had not been transparent. Were it not for one person making a statement on Facebook they would all be in the dark. A city permit was requested and none of the nearby citizens were informed. Betty stated that if this jail project was such a great idea the why did their representatives work with zero transparency and handling it in an underhanded way. She had heard that local businesses were in favor of the proposed new jail but the citizens were not. She was a business person and 100% not in favor of the location proposed. Ms. McKenna noted that earlier Commissioner Cozzens said that they did not want to put it by a RV park. People do not live in the RV park, they live in the neighborhood. Iron County owns land for this size of project by the landfill and north of present jail. Why not keep the new jail in the current area since others seem to want it there? Why build it where no one wants it? When inmates were released where will they go? She requested that the commissioners stand up for them and not place the jail by their neighborhoods.

Randy Wilson, a resident of Equestrian Pointe, agreed with the concerns from others that had spoken. He expressed his appreciation for the service that the Iron County Commissioners provide and that he knew that this decision was a hard one. Randy noted that maybe they were over simplifying things and that there may be a lot they aren't aware of. The residents trust the commissioners to look at what would be best for their community. He was puzzled as to why this discussion was even happening as a possibility of placing the new jail at the proposed site. Safety concerns and property values would go down. This was going to be seen by many and would impact many lives. Mr. Wilson noted that he wanted the community to stay as the best place to live. Surely there were better places in Iron County for the placement of a jail.

Dale Rood, a resident of Cedar City, explained that he moved to Cedar City from Nevada and currently lived by the Senior Center. He attended a meeting held on Saturday and was under the assumption that everything had been decided on. Dale suggested that the commission consider land that was for sale North of Loves gas station off Exit 62. It was a large area and it would be away from homes. In the future, just as people in Fiddlers Canyon, they would move there at their choice.

Franklyn Wulle, a resident of Cedar City, noted that he recognized the need for a new facility but opposed the location. Working in real estate, he felt there were other locations that could be considered, and Iron County should take the time to review other options.

Mark Walters, a resident of Equestrian Pointe for 5 years, reported that he moved into Equestrian Pointe because of the type of community it was. He didn't know all the reasons that this location was the best place selected. From the residents in Equestrian Point they asked if the commissioners had lost their minds and how it was even a possibility. It was not common sense to put a jail facility in an area that contained a middle of school, church and children. He would like to know what the thought process was and what was needed as far as perimeters. As far as residents, they were questioning the perspective and thought process of their representatives. Please inform the community why this was such a good option because they thought the commissioners had lost their minds to even consider the location!

Rose Clement, a resident of Cedar City, commended the commissioners for listening and allowing those in attendance to voice their concerns.

Darryl Murray, resident of Equestrian Pointe, stated that this was dear to his heart as he had children and grandchildren that would be affected by putting the jail in the proposed location. He had many friends in California that worked in law enforcement. He had worked in jails in California and been inside and knew what goes on in them. The proposed facility was something that they needed out of their community. It needed to be placed way out of town. People move by a jail facility by their own choice. Have the facility around churches and schools was not needed. Put the money towards the schools instead. Darryl noted that the area around Loves gas station was a better area because it was closer to the hospital.

Michael Bleak, Iron County Commission Chair, asked everyone to sign the paper being passed around with their name and email. Michael Bleak, Iron County Commission Chair, declared the Public Comments closed. He expressed his appreciation to all those that had expressed their opinions.

PUBLIC HEARING REGARDING THE POTENTIAL TRANSFER OF OWNERSHIP OF THE FAIRGROUNDS FROM PAROWAN CITY TO IRON COUNTY

Jon Whittaker, Iron County Clerk, explained that this was an ongoing discussion regarding the ownership transfer of the Fairgrounds from Parowan to Iron County. Jon presented a survey map prepared by Steve Woolsey, Land Surveyor, of the fairgrounds that included the delineation of the land that would be transferred. He reviewed elements of a proposed agreement being drafted. Jon noted the change of property lines to reflect which parts of the area that included the Parowan Recreational Complex and Iron County Fairgrounds would be conveyed to Iron County were the proposed agreement reached. He noted that Mr. Woolsey had provided updated legal descriptions for the parcels to be conveyed as well as the remainder parcels. Iron County would be paying Steve Woolsey for the Surveying. Ron Larsen had prepared a conceptual drawing of possible future Fairgrounds improvements. The parties had discussed and

November 22, 2021

would note a list of inventory items to be included in the proposed transfer agreement. No subsidizing of fees, utilities, nor any other ongoing expenses were anticipated nor desired. Marilyn Wood noted that there was concerns with homes being so close to the annual carnival that is part of the Iron County Fair. Discussions were geared towards building a block wall to provide some privacy. The carnival personnel loved where the carnival was located on the fairgrounds, there would be new horse stalls, an Amphitheater, an increase in the lawn area in the future. Improvements and additions were just ideas at this time and would take place through the coming years. Jon Whittaker explained that scheduling of the facilities would be the responsibility of Iron County instead of Parowan City, who currently oversaw scheduling. Grandfathered Events included Sub-4-Santa, Christmas in the Country, Parowan Birthday and the Parowan City Marathon. City Recreation activities, such as pickle ball and youth basketball would be jointly coordinated with Parowan City and Iron County. Iron County would receive and set aside the overall city recreation schedule, while Parowan City would oversee individual teams, games, and their fees. Private and Public Events would be scheduled by Iron County beginning January 1, 2022 and would be under a similar fee structure to the existing fee structure. The Fairgrounds and the Parowan City Recreational Complex were intended to be interconnected with coordinated trails, and parking, etc. There had been discussion of a cash contribution by Iron County Tourism toward a Parowan recreation center. Iron County planned to construct a gate in line with 100 N Street. Iron County would provide snow plowing for the facilities. Parowan would continue to provide fireworks for the fair. If Iron County were to relocate the Fair from the Fairgrounds, the land would transfer back to Parowan. Parowan parade floats would continue to be stored in the fair building and would remain status quo. The event permitting process would remain the same, including alcohol permits & security requirements. Iron County was investigating relocating the horseshoe pits to another location. Marilyn Wood reported that the horseshoe pit would be moved to another location to accommodate more concession stands. Iron County would work on possibly moving the location of the Carnival further away from residents. Marilyn Wood noted that she would really like to have a barn in place to have animals at the fair which could be a practice for the Livestock show the following week. Marilyn noted that there had been a barn donated to use at the fairgrounds and it would need to be moved from its current location.

Dan Jessen, Iron County Auditor, explained that he was a member of transfer committee. The financial goal for the Fair each year was to break even and sometimes that happened and sometimes it did not. The visions were: being able to acquire help from the County Tourism, have an area where concerts and various outdoor activities could be held and the revenue from those events would stay in fair fund. Those funds could then be used for improvements and buildings on the fairgrounds. Dan reported that there were many demands with no resources from the general fund. Iron County needed to generate enough new activity to bring in revenue year over year. Set your expectations and also apply for grants.

Marilyn Wood reported that on the south end of the fairground a parking lot was being put in at the trailhead and new signs at the entrances to the fairgrounds.

Paul Cozzens noted that the main focus at this time was grading the property and getting rid of weeds. The Iron County Road department would be grading the fairground property.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding transfer of the fairgrounds.

Julie White, a resident Parowan City, expressed her excitement for new ideas and long term plans. She was pleased that the pickle-ball program would be staying. Michael Bleak stated the protecting pickle-ball was the first item that came up in the meetings. Julie noted that she appreciated all the work that had gone into planning for the future of the fairgrounds. Paul Cozzens noted that the fair building was a great building and still needed to be used. Julie commented that she had 11 acres in Beryl that she would sell that the jail could be built on.

Chris Uchman, a citizen of Iron County, reported that as a public advocate and dealing with the Cedar City Council, it was important to say how great this transfer of the fairgrounds was for Iron County and Parowan City. Chris thanked the commissioners for moving forward with the transfer.

Jessica Smuin, a resident of Iron County, reported that she and her family had been attending the Iron County Fair for over 15 years and had become a family tradition. Jessica noted that she thought the new vision was great and was looking forward to the future.

Mollie Halterman, resident of Parowan City, reported that she had been attending the committee meetings. She noted how important it was to know that the commission was listening to what was being said and that the meetings were productive and positive. When the Sports Complex was being discussed it would be placed by the soccer and ball fields. She was investigating grants to move the Sports Complex to fruition.

David Burton, Parowan City Council, questioned the lines of ownership between Iron County and Parowan City and asked if he could get a copy of the meeting agenda. Jon Whittaker showed the lines of ownership. David asked that the draft agreement clearly state that if Iron County relocates the Fair that the property revert back to Parowan City ownership. Mr. Burton recognized that the omission could not bind any future commissions, but they could provide a contractual agreement in the deed. Paul Cozzens noted that if the land was not used for fair events then the land would revert back to Parowan City, and requested that Jon Whittaker comments regarding any future sale of the property. Marilyn Wood stated that the fair would never move from the present location. Paul Cozzens stated that he would agree to any language included that would prevent the fair from moving from Parowan. Mr. Burton expressed his appreciation for the Iron County Commissions willingness to work with the Parowan City Council. He explained that Parowan was putting a substantial amount of money into the fair that drained the City budget. The fair was part of the Parowan culture and Iron County would not get rid of the Fair by any means. The Fair benefits everyone and we should be proud of it. Parowan City does not have the funds to bring about the vision that the commission had presented. He was so appreciative that the commission was willing to take the transfer and move forward with their vision. This would benefit everyone and everything associated with the transfer of the fair had be transparent. It was in the best interest of everyone. Paul Cozzens committed that the agreement would keep the fair in Parowan City. Jon Whittaker explained that the agreement with Parowan City regarding the transfer of fairground parcel would be on the December 13th Agenda of the Iron County Commission meeting. It would also be presented at the Parowan City Council meeting on January 9, 2022.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing closed.

CONVENE AS THE MUNICIPAL BUILDING AUTHORITY (MBA) OF IRON COUNTY

Michael Bleak, Iron County Commission Chair, declared the convening of the Municipal Building Authority (MBA).

PUBLIC HEARING TO ALLOW PUBLIC INPUT REGARDING (A) THE ISSUANCE AND SALE OF NOT MORE THAN \$500K AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, SERIES 2021 (THE "BONDS") AND (B) ANY POTENTIAL ECONOMIC IMPACT THAT THE PROJECT DESCRIBED HEREIN TO BE FINANCED WITH THE PROCEEDS OF THE BONDS ISSUED UNDER THE ACT MAY HAVE ON THE PRIVATE SECTOR; AND RELATED MATTERS

Reed Erickson, Iron County Planner, explained that this item was the result of the Bond Council scheduling and advertising for a public hearing. The council passed the Parameters Resolution at a previous commission meeting. It was then required to hold a public hearing regarding the Parameters Resolution. The interest was thought to be \$250K, but the Parameters Resolution included \$500K for the bond. The \$250K was to cover the Community Impact Board (CIB) loan. No action was needed.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the Revenue Bonds. No Public Comments were offered. Michael Bleak declared the Public Hearing closed.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

PUBLIC HEARING REGARDING THE IRON COUNTY 2022 PROPOSED FINAL BUDGET

Dan Jessen, Iron County Auditor, gave a presentation of the status of the local and broader economy before presenting the Iron County 2022 proposed final budget. He noted that both the local and national employment figures were at near record highs, with employers struggling to fill positions and wages increasing. By nearly every measure the economy was strong. With population growth at 18. Housing prices in Utah increased 29% to \$498K. Foreclosure rates were near zero. Regarding a potential housing bubble, similar to the one that burst in 2007, Dan noted that lending requirements were more strict than in 2007, interest was still low, and population growth was constant and accelerating. Inflation was very high with increases in nearly every category, especially housing, fuel, and food. He explained that inflation had been fueled by quantitative easing, or buying money by the Fed, keeping rates exceptionally low, and by a rebound from COVID-19. Looking forward to 2022, the question was whether inflation would continue. A great deal of what to expect would depend on how quickly and how much the Fed reduced said quantitative easing, thereby increasing interest rates. Dan noted that the Fed sought to gently slow down the broader economy, not cause another crash. Iron County had benefited by a greatly increased amount of sales tax revenue. Factors that were challenges were inflation of goods and services purchased by Iron County and also its employees. Higher interest rates, would increase the revenues from savings, but also increase the cost to borrow money in the future. Overall, Iron County had a strong year for revenues in 2021, with increases in sales tax, tourism taxes and road tax. Dan anticipated that the positive effects would last into 2022, but then return to normal, although a "new normal" might be difficult to define.

Salaries and Wages were a major consideration regarding the 2022 budget. The commissioners approved a 5% to 10% increase for Iron County employees at an annual increase of \$1.2M. A potential salary study had been discussed as well as a new Salaries and Wages structure, such as a "Step and Grade" type system. Dan explained that no additional Cost of Living Adjustment (COLA) was budgeted for 2022. There had been an increase for lower paid clerical employees earlier in the year. In spite of many opinions, there had been increases most years since 2012. Overall spending for Salaries and Wages increased steadily in recent years, but there had also been growth in staff.

The 2022 budget included no tax increase, and Iron County continued to carry no general obligation debt. With the total budget increasing from \$50.9M in 2021 to \$67.7M in 2022, the major areas of budgeted expenditures were Capital Expenditures of \$8.4M, Operations of \$21.6M, Personnel at \$20.1M and Transfers of \$14.3M. A budget surplus was anticipated. The American Rescue Plan Act (ARPA) would be an increase. Land Acquisition for a new Correctional Facility had \$1.1M budgeted. In conclusion, Dan recapped the possible effects of inflation, the challenges and benefits of ongoing population growth, that by nearly every measure Iron County was financially sound, the efforts toward and possible impact of a salary study, and the profound impact a new correctional facility would have on the 2022 budget.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the proposed 2022 budget. No comments were offered. Michael Bleak declared the comments closed.

DISCUSSION AND POSSIBLE APPROVAL OF VEHICLES TO BE SOLD ON THE PUBLIC SURPLUS WEB SITE

Jon Whittaker reported for Wade Adams. The following vehicles were requested by Wade Adams, Iron County Fleet Manager, to be placed on the public surplus website list to be sold: a 1979 International Dump truck, a 2007 American LaFrance side loader with a Curbtender body and a 1994 Kenworth Dump truck.

Paul Cozzens made a motion to approve the vehicles to be sold on the public surplus website. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF THE 2022 IRON COUNTY COMMISSION MEETING SCHEDULE

Jon Whittaker, Iron County Clerk, presented the proposed 2022 Iron County Commission meeting Schedule. Jon noted that the meeting held on Monday, July 25th would be held on Tuesday, July 26th (observation of Pioneer Day would be on the 25th). He reported that there had been inquiries into changing the meeting time. After some discussion it was decided to leave the meeting time at the current listed time of 9:00 a.m.

Marilyn Wood made a motion to approve the 2022 Iron County Commission meeting schedule. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented new hires, Heather Wayman as a Full-time Administrative Assistant for the Engineer Department, effective November 29th, Allison Lloyd and Aaron Hatch as Full-time Deputy 1 in Corrections, effective November 28th. These were backfill of vacant positions.

Paul Cozzens made a motion to approve new hire Heather Wayman as a Full-time Administrative Assistant for the Engineer Department, effective November 29th. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Marilyn Wood made a motion to approve new hire Allison Lloyd as Full-time Deputy 1 in Corrections, effective November 28th. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented for possible approval an update to the Personnel Policies and Procedures Manual Section 41-B: Guidelines for Police Officer Standards & Training (POST) Training Meal Reimbursement. Jennifer explained that the POST Training Academy had decided to close their cafeteria at 3:00 p.m. rather than be open all day for meals. Therefore, the new Deputies were not able to use the POST meal plan for dinner. The update would allow staff to receive county approved meals at the per diem rate as opposed to the POST meal plan. Jennifer read from Iron County Policy & Procedures, Section 41-B.

Paul Cozzens made a motion to approve to update Personnel Policies and Procedures Section 41-B as presented by Jennifer. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Marilyn Wood made a motion to approve new hire, Aaron Hatch as a Full-time Deputy 1, in the Sheriff's Department-Collections. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Commission Chair



Attest: Jonathan T. Whittaker, County Clerk



IRON COUNTY COMMISSION MEETING

December 13, 2021

Minutes of the Iron County Commission meeting convened at 9:00 a.m. December 13, 2021 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Sam Woodall	County Deputy Attorney
Dan Jessen	County Auditor
Terry Palmer	County Building & Zoning
Curtis Crawford	County Council on Aging
Shain Manuele	County Defense Attorney
Carrie Christiansen	County Deputy Auditor
Richard Wilson	County Engineer
Maria Twitchell	County Tourism/Parks & Rec
Ryan Riddle	County Fire Warden
Jennifer Bradbury	County HR Director
Bruce Anderson	County Landfill Supervisor
Reed Erickson	County Planner
Mike Worthen	County Resource Director
Preston Nelson	County Roads
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer

SYNOPSIS

ADJOURNMENT 15

APPROVAL OF CLAIMS FOR PAYMENT2

APPROVAL OF MINUTES2

CONTRACT AMENDMENT FOR ADMINISTRATIVE PUBLIC DEFENDER..... 11

COVID STATE AND LOCAL FISCAL RECOVERY FUNDS REIMBURSEMENT 11

DEPARTMENTAL REPORTS.....2

FEE CHANGES FOR IRON COUNTY PARKS 12

FIFTH DISTRICT JUVENILE PUBLIC DEFENDER CONTRACT RENEWALS10

INVOCATION2

IRON COUNTY ANIMAL SHELTER PLUS LOCAL ANIMAL ABUSE 11

NON-DELEGATED ITEMS..... 14

OFF-HIGHWAY VEHICLE FISCAL INCENTIVE GRANT 13

OPIOID LITIGATION SETTLEMENT 12

PARTIAL VACATE AND AMENDED PLAT-LOTS 16 & 17 SCOTTSVILLE SUB 13

PERSONNEL 14

PLEDGE OF ALLEGIANCE..... 2

PUBLIC COMMENTS 7

PUBLIC HEARING, AMENDMENTS TO THE IRON COUNTY 2021 BUDGET 6

PUBLIC HEARING, CDBG GRANT PROGRAM, FIRST HEARING..... 5

RESOLUTION 2021-11A, ADOPTING THE 2021 BUDGET AMENDMENTS 8

RESOLUTION 2021-12, ADOPTING THE 2022 FINAL BUDGET 10

TAX CREDIT ABATEMENT APPLICATIONS..... 14

TRANSFER AGREEMENT FAIRGROUNDS PARCELS TO IRON COUNTY 8

2022 APPLICATION FOR FIREHOUSE SUBS GRANT..... 7

2021 FEMA ASSISTANCE TO FIREFIGHTERS GRANT 7

UTAH OFFICE OF TOURISM GRANTS 12

UTAH RURAL COUNTY GRANT, PART B 14

INVOCATION

An invocation was offered by Paul Cozzens.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held on November 22, 2021. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM NOVEMBER 22ND TO DECEMBER 12TH

Marilyn Wood made a motion to approve Claims for Payment from November 22, 2021, to December 12, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Terry Palmer, Iron County Planning & Zoning Administrator, reported that a total of 618 permits were issued in 2021 compared to December 2020 at 497. They had done Plan Reviews on 674 projects compared to 356 in December 2020, and 3,952 completed inspections, compared to 3,559 in December of 2020. Unincorporated areas of Iron County total valuation, year to date, was \$43,513,392 and \$661,822 in fees collected in building permits; Single Family Dwelling was 171; Additions/Remodels-44; Accessory-116; Solar System-54, Misc./Electrical/Gas Piping-78; and Commercial 12. Terry reported that Building permits issued in 2021 year-to-date by cities were: Parowan 64, Brian Head 34, Kanarraville Town 12, and Paragonah Town 8. He noted that there had been many applications for commercial and industrial construction coming into his office for permits near the Iron Springs area. He had been working on zoning and ordinances trying to bring in some affordable housing. Terry reported that bleachers had been delivered to the fairgrounds along with both buildings. Footings had

been done for the new grandstand. Paul Cozzens reported that he spoke with Carter Enterprises and they were going to blanket the footings to keep them from filling with snow. Carter Enterprises was very busy and asked to postpone work until the weather cleared up, possibly in the spring. Carter Enterprises told Paul that they would erect a planned Fair Building quickly to provide a location to secure and protect the bleacher components and other building materials. Paul noted that another semi was yet to come with additional bleacher components.

Richard Wilson, Iron County Engineer, explained that since he was unable to report last quarter, he would highlight the last 6 months. As a result of the monsoonal flooding that affected Iron County, they had cleaned debris from 25 miles of borrow pits. Richard showed a video of flooding that took place in Paragonah. Through the generosity of Ted Cooke, they were able to straighten out 2 tight curves in the Paragonah ditch. Curtis DeMille would be working in Paragonah next week. In Cedar City, a great deal of silt that was left in the Stevensville (North Coal Creek, Cedar Valley) Ditch that was cleaned out. They had also worked on the ditches to Quichapa and in Paragonah. Richard reported that at the present time, they were working on the Urie Bridge, to stabilize it, located up Right Hand Canyon. They took out the base last week which allowed them to pour it. Curtis DeMille filled in a 15-20-foot drop near said bridge. Another project was in Parowan, west of the interstate, where they removed 5-foot culverts, cleaned them out, and placed concrete headers ahead of them. Since June, he thought the plotter in his office wasn't working but he was able to get it up and working again, but he was considering getting a larger scanner. His new assistant, Heather Wayman, was doing great and was very capable. Last week the commissioners signed a \$100K grant to study the corridor for the belt route. There were 7 intersections (Hwy 56, Lund highway, Minersville Highway, 4800, 4000, and 3200) that could create some potential issues if this was not planned out.

Curtis Crawford, Iron County Council on Aging (COA) Director, reported that both the Cedar City and Parowan Senior Centers were operational and doing well. Weekly for the Cedar City area, 130 Meals on Wheels were provided and around 40 congregate meals. In the Parowan area, there were 60 Meals on Wheels and around 30 congregate meals. These numbers were growing each week, a 60% increase since before the pandemic. In the past, Monday and Wednesday volunteer delivery drivers normally took 1 to 1½ hours to make their delivery. Now it took them approximately 3 hours. The COA had sent out a letter to all Monday and Wednesday participants informing them COA would need to adhere strictly to the qualifications of this service. So far approximately 30 had dropped out of the program. Inspection: An unannounced audit and inspection by the State of Utah and Officials from 5 County occurred at the Cedar City Senior Center. This included: a thorough investigation comparing computer reports to the copies on file; cleanliness and organization in the kitchen; the delivery of Meals on Wheels; and visits with the seniors. Curtis reported that the only advice was to encourage Monday and Wednesday participants to put ice in their coolers for the few that had a cooler on their porch. Vehicles: all vehicles were in good shape with no issues. There had been 3 Meals on Wheels trucks ordered in January 2020. The last word he received was they were about done and ready for shipment. Buildings: Both centers were well maintained and doing well. There was still an issue with water in the new North Wing of the Cedar City Senior Center on the basement floor. Previously it was seeping up in the northwest corner and had moved to the west middle section. Commissioner Cozzens asked Terry Palmer to contact the contractor to come to look at the leak. Activities were going well and participation was increasing. Some recent additions included: "Chair Yoga," a Weight Loss Support Group, and a Parkinson's Support Group. Curtis reported that the budget was on track.

Bruce Anderson, Iron County Landfill Supervisor, reported that use of the landfill continued to grow. There were 42,189 tickets and 42,515 transactions in 2021 compared to 33,977 tickets and 34,329 transactions in 2020. Tonnage was 83,528.72 compared to 73,010.72 in 2020. There was an additional estimated of 300 tons from the sewer plant from the Enoch flood, which would be used as cover at the landfill. Bruce noted that the re-permit process was nearing completion and he had sent a letter to the state the previous Thursday explaining the benefits of the Landfill to Iron County. He anticipated approval within a month or two. All of his employees were healthy and working, except one who was out with a new baby. His budget was

on track with the exception of fuel and maintenance which were both over. The new 320 Track Hoe was delivered and was working well. He was hoping to take the top off of the overburdened piles at the Quichapa Channel in December so Casey could drive his four-wheeler down in the channel.

Preston Nelson, Iron County Road Supervisor, reported that they were still cleaning up after the summer floods. After months, people were finally getting to the bottom of the silt. He was able to get about 2 miles of the subgrade ready on the Hart Road, and still had a half mile remaining. Trucks have been hauling gravel on Pinto Road, and it should be complete in a couple more days. Looking ahead: finish subgrade on Hart Road and start placing gravel; hopefully plow snow when much needed snow falls; and begin working on getting numbers for patching and chipping for 2022.

Paul Cozzens, Iron County Commissioner, announced that Ken Ivory, former Representative in the Utah State Legislature, would be speaking in St. George on January 12, 2022 regarding President Biden's 30 x 30 Conservation Plan to protect an additional 30% of U.S land and water (over 720 million acres). Mr. Ivory would be in Cedar City on January 13th at Festival Hall-Room 7, at 5:00. Paul met with Matt Rhodes and Richard Abbott to discuss flood issues, and some resolutions were made on the flood channels. Curtis DeMille, Iron County Roads, would continue to monitor the flood channels. Dennis Johnson, Iron County TV Specialist, upgraded his 27-year-old Snow Cat to help him access the remote tower stations on the mountains. Paul reported that there was a bee infestation in the eaves and walls of the Beryl Fire Station. He contacted Blaine Nay, Iron County Bee Specialist, who will go out in March to extract the bees. Commissioner Cozzens explained that when the Fire Station building was constructed a soffit or fascia had not been installed and he would contact a contractor to correct it.

Marilyn Wood, Iron County Commissioner, reported that on December 1st she attended a meeting with the U.S. Forest Service. Kevin Wright, Wright Timber, was involved with contracting timber on federal land. Private companies were having a hard time getting their product off the mountains. Redge Johnson, Executive Director of Governor Cox's Public Lands Policy Coordinating Office, spearheaded the meeting. They discussed that the new administration was difficult to work with, along with Environmental groups that were suing everyone. It was hurting those that rely on public lands to make a living. On December 2nd she met with Wade Adams who had completed a traffic study on the Dry Lakes Road. The study had been done around the July 4th holiday for about 2 weeks. Because of the flooding they were not able to address the study. Marilyn noted that it was very enlightening to hear results of the road study. Speeds were clocked up to 58 mph. Brian Head was trying to mitigate that by writing tickets and by approving an ordinance. They discussed a need for new trails to disburse Off-Highway Vehicles (OHV) out of Brian Head. Another meeting will be held to cover other issues. After the meeting she talked with Sheriff Carpenter. She expressed her appreciation for how assessable Sheriff Carpenter was and always so willing to help. On December 7th Marilyn attended a meeting with the Central Iron County Water Conservancy District (CICWCD) regarding the Pine Valley Water project. Paul Monroe gave a great presentation and was well prepared. Later that afternoon she met with Babcock & Layton regarding a potential correctional facility site. Commissioner Wood noted that they were looking at other sites that might house a new correctional facility.

Michael Bleak, Iron County Commissioner, reported that he continued to be involved with Economic Development. The Inland Port Project was moving forward. He also attended the CICWCD Public meeting on the 7th and it was record breaking in attendance in the Great Hall at Southern Utah University (SUU). Michael noted that the commissioners had been trying to decide what was the best way to disseminate information to the public regarding a new Correctional Facility, and the challenges of constructing a new facility. They were seeking to increase transparency, dissemination of information, and to ease comments and feedback regarding the facility. He had spoken with Reed Erickson, Iron County Planner, and agreed that the SUU Great Hall was a great venue and they were going to move forward with a similar meeting. Commissioner Bleak reported that he had spoken to all of the Chiefs of Police in Iron
December 13, 2021

County to have them involved in the planning process of a new Correctional Facility. It was important to have them on board for input, and to have a great representation of those involved at the meeting. The meeting would be held sometime in January after the holidays were over. All of the information that had been collected would be discussed and it would be open to the public. This was a good format for a public forum.

PUBLIC HEARING, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2022 PROGRAM YEAR, FIRST PUBLIC HEARING NOTICE

FIRST CDBG PUBLIC HEARING MINUTES
IRON COUNTY CDBG PUBLIC HEARING
HEARING HELD PAROWAN, UTAH, DECEMBER 13, 2021, 10:00 A.M.

The Iron County, Utah first CDBG public hearing was held on Monday, December 13, 2021, in the Iron County Courthouse, meeting commenced at 9:01 a.m.

Present:	Commission Chair	Michael P. Bleak
	Commissioner	Marilyn Wood
	Commissioner	Paul Cozzens
	Clerk	Jonathan T. Whittaker
	Deputy Attorney	Sam Woodall
	Auditor	Dan Jessen
	Building and Zoning	Terry Palmer
	COA Director	Curtis H. Crawford
	Public Defender	Shain Manuele
	Deputy Auditor	Carrie Christiansen
	Engineer	Richard Wilson
	Tourism/Parks	Maria Twitchell
	Fire Warden	Ryan Riddle
	HR Director	Jennifer Bradbury
	Landfill Supervisor	Bruce Anderson
	Planner	Reed Erickson
	Natural Resource	Michael Worthen
	Roads Superintendent	Preston Nelson
	Sheriff	Kenneth Carpenter
	Treasurer	Nicole Rosenberg

Public in Attendance:

Volney Morin, Tim Hahn, Sandy Turley, Kristen Demas, David Hill, Jeff Richards, Brandon Hunter, Ron Clayton, Mollie Halterman.

County Recorder: Carri R. Jeffries,
County Clerk: Jonathan T. Whittaker,
County Attorney: Chad E. Dotson.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING:

Commissioner Michael P. Bleak opened the public hearing for the CDBG program and stated that the purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications for the 2022 funding cycle. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. The Five County Association of Governments, in which Iron County is a member, is expecting to receive approximately \$907,269 in this new program year. All eligible activities that can be accomplished under this

program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time. Commissioner Michael P. Bleak read several of the eligible activities listed including examples, such as Construction of public works and facilities, e.g. water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. Commissioner Michael P. Bleak indicated that in the past Iron County has received Grants that did much good. The county has handed out its capital investment plan as part of the regional "Consolidation Plan." This list shows which projects the county has identified as being needed in the community. It was asked that anyone with questions, comments or suggestions during the hearing please identify themselves by name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing. Commissioner Michael P. Bleak opened the meeting up to public comments. No comments were offered. The hearing was adjourned at 10:24 a.m.

PUBLIC HEARING REGARDING AMENDMENTS TO THE IRON COUNTY 2021 BUDGET

Dan Jessen, Iron County Auditor, explained that this was the last time to amend the 2021 budget. The budget had been on display in his office for public viewing. He presented a summarized report on the larger adjustments. Those were: state and local American Rescue Plan Act (ARPA) monies. The plan itself was not changing rather the way of accounting. \$1.36M revenue replacement, one allocation of \$2.2M on Health and Safety salary reimbursement, and another to a separate fund for \$1.7M on Health and Safety salary reimbursement, adding grants approved and placed in budgets including Weed Department grant, Indigent Defense grant approved by state, and Rural County grant \$200K; added Coal Mountain Solar Projects 1 and 2 incentive payments in fund 61; Election equipment \$44K (state funds-delayed payment of Federal dollars); Landfill adjusting vehicle operations (maintenance) \$60K; Fund transfers to capital projects included jail \$1.7 from fund 11 and up to \$4.5M from fund 10. Dan reported that due to inflation there were adjustments to vehicle fuel costs across the board; food budget for the jail, mid-year salary adjustment annual of \$1.2M, and August's salary adjustments were \$700K. He explained that legal fees of the Rural Communities Facilities (RCF) were higher as a result of Attorney Adam Long's new solar projects for the agency, and those were higher than planned, (approximately \$10K were funded by private companies). The changes show the ICCD&RA actual payout. Lastly, the PRCA expenses were more than expected as a result of the largest rodeo that the fair had held. Michael Bleak asked that there be another adjustment to the budget. He reported that he was on the Cedar City Area Chamber of Commerce Board. There is a concept that they are working on called "The Big Chamber" which includes Beaver, Iron County, and Garfield County Chambers. Michael read a letter from Chris McCormick explaining the concept: "The Chamber would provide ongoing training and business resources to help strengthen the businesses in each of these counties. They would spend a full day each month in each of these counties to provide training, learn about their needs, and help promote the businesses in each of these communities. The following organizations would travel each month to assist in these efforts: Small Business Development Center, Southwest Technical College, Women's Business Center, Procurement Technical Assistance Center, and The World Trade Center of Utah. They would also serve as a collective voice for issues that concern each of these counties, in addition to monitoring Legislative issues on the State and Federal level and to help keep the business community in each county informed. Lastly, they would put together a Big Chamber Magazine that promotes all 3 counties. The Big Chamber board is asking Iron County to donate General Fund monies, \$5K yearly for 5 years, as seed money to get it up and running. Beaver County had approved \$10K per year for 5 years, Garfield County approved \$5K for 5 years, Garfield County Travel Council approved \$5K for 5 years, and Cedar City/Brian Tourism approved \$5K yearly for 5 years. The expectation is that this Chamber would be self-sustaining by the end of 5 years. The Big Chamber does not replace any other Chambers that may exist in any community in these 3 counties. If there is an existing Chamber in a community of business, they must be a member of that chamber to be a member of the Big Chamber. The County

Commission in Beaver would assign 2 people to serve on the Big Chamber Board, one person to represent Tourism and one to represent the County Commission. Garfield County would have Faylynn Owens represent the Tourism Bureau and Katie Higgins from the Office of Economic Development. Iron County would have Kaley Pickering from the Tourism Bureau, and they asked Mike Bleak to serve on the board representing the Iron County Commission, as he is already aware of how the chamber runs and he currently serves on the board.” Basically, the Cedar City Chamber has become sufficient and does a really good job, and they recognized that some surrounding counties have had some challenges. They want to get together and help the region to succeed. Michael noted that he wanted to bring up the request before the public comment for any questions or comments. This was his request to add to Dan Jessen’s amendments of 2021. Dan Jessen explained that this amendment was brought to his attention and he recommended that Commissioner Bleak address it in the public hearing.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing open regarding the amendments to the Iron County 2021 budget. No public comments were offered. Michael Bleak declared the public hearing closed.

PUBLIC COMMENTS

Brandon Hunter, a citizen of Iron County, reported on a public/private partnership regarding an Agricultural GPS Tower. The tower is up and running and there are 2 farmers using the tower which is available for Cedar Valley and Parowan Valley at no cost. The partnership outlined that the farmers supply the equipment equal to approximately \$20K. Iron County allowed the tower be on county property on Summit Hill, which services both valleys. More farmers plan to use the GPS tower in the future. Doing this would help the smaller farmers in the valley to use the tower at no extra cost. Brandon explained that the tower uses a GPS system for tractors for planting and cutting and allows them to have a home base rather than satellite, providing significantly more accurate geo-locating of tractors thus increasing fuel efficiency. Updating the equipment to the system has a cost, but once updated there would be no cost to the farmers. The tractors would be able to react to within a half an inch. Brandon reported that the tower is specific to one manufacturer, John Deer, because they have a longer frequency radio. With the tower located on Summit Hill, it works at 100% capacity as far as Quichapa Lake. The system could have 1 or 100 sign up, and it would not affect it.

DISCUSSION AND POSSIBLE APPROVAL FOR 2021 FEMA ASSISTANCE TO FIREFIGHTERS GRANT FOR A FIRE ENGINE PUMPER AND TENDER COMBINATION

Ryan Riddle, Iron County Fire Warden, proposed to move forward on a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant for a fire engine pumper/tender combination to replace a 1976 pumper, and a 1989 water tender that were no longer serviceable. The grant required a 5% match from Iron County. Paul Cozzens made a motion to approve applying for a 2021 FEMA Assistance to Firefighters Grant to purchase a fire engine pumper/tender combination to replace a 1976 pumper, and a 1989 water tender. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL FOR 2022 APPLICATION FOR FIREHOUSE SUBS GRANT FOR RESCUE AND EXTRICATION EQUIPMENT

Ryan Riddle, Iron County Fire Warden, explained that grants through Firehouse Subs allowed applications for equipment up to 50 miles from the one of the Firehouse Subs stores. Newcastle and Beryl were eligible for this grant. Ryan requested approval for a 2022 application from Firehouse Subs Grant for rescue/extrication equipment, each \$14K, to replace unserviceable extrication equipment. There was no match with this grant. Ryan reported that the rescue/extrication equipment was battery-powered, stronger, and does more than the present hydraulic equipment. Marilyn Wood made a motion to approve a 2022 application for Firehouse

Subs Grant for rescue/extrication equipment for the Beryl and Newcastle Fire Stations. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jon Whittaker expressed his appreciation to Ryan Riddle with the help he had provided to the Beryl and Newcastle fire stations.

Dan Jessen stated that Firehouse Subs provided a great grant program. It was rare to have a corporation to provide grants and always follow through.

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH PAROWAN CITY REGARDING THE TRANSFER OF FAIRGROUND PARCELS TO IRON COUNTY. PARTS OF APN'S A-8-2, AND C-933-4

Marilyn Wood, Iron County Commissioner, presented a brief history of the Fairgrounds and explained that Parowan had come before the commission in the past regarding the Fairgrounds. In most counties, the county usually owned the property where the County Fair was held. When the commissioners heard that Parowan needed funds to use in other areas, this Commission stepped up and offered to help. They met with the Parowan Council in August and September to discuss options regarding the fairgrounds. Parowan Council held a public hearing on October 28th. After the Parowan Council public hearing, Parowan City and Iron County put together a committee to discuss all issues regarding the transfer of the fairgrounds to Iron County. Marilyn explained that Iron County owned the fair building and the property it was located on. The county has put a lot of money into the fair in years past, and it was time to step up and take over. Jon Whittaker created a proposal for the transfer, which went back and forth between Iron County and Parowan City attorneys. A map was presented to those in attendance at the Iron County Commission meeting showing the lines of transfer and additional parking. A color rendition of the fairgrounds that displayed future projects was also presented.

Jon Whittaker, Iron County Clerk, reported that there were many positive comments during the discussions. Jon read the Transfer Agreement between Parowan City and Iron County. Jon stated that Section B regarding extra parking and access to parking, was stricken from the agreement pending a legal description. He noted that they needed continuation of conviviality to have everyone benefit from this transfer. Rather than continuing with the reading of the Transfer Agreement, Jon opted to highlight each Section in the agreement. Parowan City Council will present the Transfer Agreement at their council meeting on January 13, 2022.

Reed Erickson, Iron County Planner, noted that an execution of a "Notice of Approval" needed to be attached to the recorded deeds. Utah State Law requires the Recording Document accompany the deed, which authorizes the Lot Line Adjustment when two parties agree to move a mutual boundary. Paul Cozzens made a motion to approve an agreement with Parowan City regarding the Transfer of Fairground parcels to Iron County, parts of APN's A-8-2 and C-933-4, and to strike Section B (under land description) and provide a Notice of Approval to be executed with the agreement. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RESOLUTION 2021-11A, ADOPTING THE IRON COUNTY 2021 BUDGET AMENDMENTS

Michael Bleak, Iron County Commissioner, asked if there were any concerns or questions regarding the budget amendment he presented earlier. Marilyn Wood asked how the Big Chamber originated. Michael Bleak explained that Beaver and Garfield County went to their Economic Development Department asking for help to bolster their current businesses, as well as making their counties more attractive to attract other businesses, through the strength of their Economic Development Departments. The Big Chamber was the result of this process to bring in resources to help the smaller counties succeed. The Big Chamber members would travel once a month to the different entities to provide them training. Paul Cozzens asked if the Big Chamber would overlap with Utah Association of Counties (UAC) membership. Commissioner Bleak noted that he was not entirely clear on the UAC membership. Dan Jessen reported that UAC was not associated with chambers and mostly a city thing. Marilyn Wood suggested that it be

approved for the 1st year and give them time to monitor it. Paul Cozzens and Marilyn Wood would like time to investigate the Big Chamber before a decision was made.

Dan Jessen, Iron County Auditor, explained that the commission could approve the amendment "as-is" or they could add it as an agenda item in 2022. If they approved to join then the Big Chamber, the 2022 budget could be amended. Marilyn Wood made a motion to approve Resolution 2021-11, adopting the Iron County 2021 Budget amendments (not including the Big Chamber participation). Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-11 A

A RESOLUTION OF THE IRON COUNTY COMMISSION AUTHORIZING ADJUSTMENTS TO THE 2021 DEPARTMENTAL BUDGETS.

Whereas, Iron County Departments have requested adjustments to their budgets for 2021 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 2021 budget of Iron County is hereby amended to reflect changes in the adopted and approved 2021 budget to actual expenditures as calculated and filed in the Iron County Auditor's Office.

RESOLVED, ADOPTED, AND ORDERED this 13th day of December, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____

Michael P. Bleak - Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



Michael P. Bleak Aye
Paul Cozzens Aye
Marilyn Wood Aye

RESOLUTION 2021-12 ADOPTING THE IRON COUNTY 2022 FINAL BUDGET

Paul Cozzens made a motion to approve Resolution 2021-12 adopting the Iron County 2022 Final Budget. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2021-12

A RESOLUTION OF THE IRON COUNTY COMMISSION ADOPTING AND APPROVING THE 2022 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

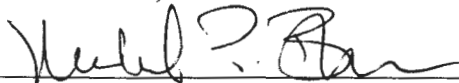
Whereas, December 13, 2021 at the hour of 10:00 a.m. in Commission Chambers at the Iron County Courthouse 68 South 100 East, Parowan City, was the time and place of a public hearing where all interested persons had an opportunity to be heard for or against the estimates of revenue and expenditures and performance data on any item in any fund; and

Whereas, notice of the public hearing was 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 2022.

RESOLVED, ADOPTED, AND ORDERED this 13th day of December, 2021.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak - Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk

Michael P. Bleak Aye
Paul Cozzens Aye
Marilyn Wood Aye



DISCUSSION AND DECLARATION OF IRON COUNTY EMPLOYEES WHOSE DUTIES SIGNIFICANTLY SHIFTED TO RESPOND TO THE COVID-19 PANDEMIC FOR PURPOSES OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS REIMBURSEMENT CALCULATIONS

Dan Jessen, Iron County Auditor, explained that the State and Local Fiscal Recovery Funds (SLFRF) was similar to Coronavirus Aid, Relief, and Economic Security (CARES) Act monies. Dan noted that Iron County would be reimbursed from the CARES/CFR funds for Law Enforcement (LE) work. He reported that the definition of a “Substantially Dedicated” Employee included the Sheriff, Sheriff and Jail Deputies and support staff as recommended by the Department of Treasury. Iron County must document those employees within the Sheriff Department and 100% of all Jail employees that had worked with the public and whose duties significantly shifted due to COVID-19. Marilyn Wood made a motion to approve a Declaration of Iron County Employees whose duties significantly shifted to respond to the COVID-19 Pandemic for purposes of Coronavirus State and Local Fiscal Recovery Funds reimbursement calculations. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF CONTRACT AMENDMENT FOR ADMINISTRATIVE PUBLIC DEFENDER REGARDING CONTRACT AMOUNT

Shain Manuele, Iron County Defense Attorney Coordinator, explained that his position was funded through the Utah Indigent Defense Commission. Shain reported that his duties had increased and the Indigent Fund Commission had provided additional funding. He was requesting a 5% increase to his contracted amount. The total amount was \$152,500. Of this sum of payment, \$92,500 would go to contract the Administrative Public Defender and \$60K to employ an Administrative Assistant for Public Defender Services. Paul Cozzens made a motion to approve a Contract Amendment for an increase of 5% for Administrative Public Defender, Shain Manuele. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF FIFTH DISTRICT JUVENILE PUBLIC DEFENDER CONTRACT RENEWALS FOR JAMES M. PARK AND CANDACE N. REID

Shain Manuele, Iron County Defense Attorney Coordinator, explained that contracts were up for renewal for James M. Park and Candace N. Reid who cover proceedings in Juvenile Court, Justice Court, and Parental Defense Court. The contract renewal would be for an additional 2 years. There were some minor changes in the contracts, as was consistent with changes made previously. Ordinary Expenses Clause was removed; a clause was added stating that they would not pursue lawsuits that were directly against the county; and a potential increase that would match an increase that was given to Iron County Law Enforcement of an additional 10% increase. Marilyn Wood made a motion to approve the Fifth District Juvenile Public Defender Contract renewals for James M. Park and Candace N. Reid. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION ABOUT IRON COUNTY ANIMAL SHELTER, AND LOCAL ANIMAL ABUSE

Michael Bleak, Iron County Commission Chair, struck this agenda item and rescheduled it to January 10th as Mr. Warke was unable to attend.

DISCUSSION AND POSSIBLE APPROVAL OF UTAH OFFICE OF TOURISM GRANTS

Maria Twitchell, Iron County Executive Director of the Cedar City/Brian Head Tourism Bureau, reported that she had applied for 3 grants through the Utah Department of Tourism. Those grants were: Ski Marketing – a marketing grant to advertise winter skiing in the Las Vegas, Southern California and Arizona markets for the 2021/2022 ski season. Partners: \$100K- Brian Head Resort, Brian Head Town \$20K, Utah Office of Tourism Grant \$145,536, and Iron County (TRT Fund) \$70K for a total of \$337,536; Destination Development Marketing Grant – a grant to help update the tourism website and improve marketing in the off-season through TripAdvisor, Utah.com, streaming video and billboards. Partners: Utah Office of Tourism \$101,140, Iron County match of \$101,140 for a total of \$202,280; Outside TV “Venturing Out Park 2 Park” episode – a grant to produce a 30-minute episode on Outside TV’s “Venturing Out Park 2 Park” series available to 65M streams per month. Partners: Garfield and Kane County \$16,666 each, Utah Office of Tourism \$50K, and Iron County \$16,668 for a total of \$100K. A 3 grant total of \$639,816. Maria noted that she generally avoided episodes because of the expense, but with the partnerships she agreed. Paul Cozzens made a motion to approve the Utah Office of Tourism Grants. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL FOR FEE CHANGES FOR IRON COUNTY PARKS

Maria Twitchell, Iron County Executive Director of the Cedar City/Brian Head Tourism Bureau, explained that there had been no park fee changes in approximately 15 years. Maria requested a slight incremental change to keep up with growing expenses. She listed the following proposed fee changes: Rentals for pavilions to increase from \$25 to \$35 for less than 100 people and from \$50 to \$60 for more than 101 people; Camping fees would remain at \$10; Special events from \$500 to \$250 for Non-profit and \$500 for-profit, with no fee for school use; Shooting Range free for shooting clubs and hunter safety at 2 times per month, \$25 for additional days in the month up to 25 people, groups over 25 must pay the group area fee of \$50 no matter what, groups must give up fee day if there was a paying event, Iron County would give up to 2-weeks notice to group when paying event overrides; Shooting Range would close if there was a special event scheduled – fees from \$500 to \$250 non-profit, \$500 for-profit and free for schools K-12; Fee Area Blackout dates apply, including the entire month of September and October; Five Mile Vermillion Castle (anticipating Group Area opening 2023) fee \$25 and free for schools K-12. Marilyn Wood made a motion to approve fee changes for Iron County Parks as presented. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF DECLARATION BY THE IRON COUNTY COMMISSIONERS FOR THE PROPOSED OPIOID LITIGATION SETTLEMENT PRESENTED TO IRON COUNTY AND OTHER COUNTIES PARTICIPATING IN LITIGATION WITH VARIOUS PHARMACEUTICAL MANUFACTURES, DISTRIBUTORS, AND RETAILERS

Sam Woodall, Iron County Deputy Attorney, explained that this has been ongoing Opioid Litigation throughout the country. Iron County was among those counties participating in the State of Utah. Sam reported that the major player in the litigation had proposed an Opioid Litigation Settlement for counties participating in the litigation. As part of the settlement, most of the counties needed to participate and be unified to make it work. He, Commissioner Wood and Commissioner Bleak attended an initial meeting during Utah Association of Counties (UAC) Convention with Utah Counties Indemnity Pool (UCIP) and other counties. There were a lot of pros and cons regarding the settlement. One major concept was if a county continued litigation they stood to gain a lot of money, however there was no guarantee that they would receive any money. He noted that after discussions with the Iron County Commissioners and other counties, the Iron County Commissioners might be inclined to accept the settlement and be unified with

other counties in Utah. There was some pressure for a decision to accept or deny the settlement as the decision from the states needed to be in by January 2, 2022, but the State of Utah had to enter their decision by tomorrow. Paul Cozzens reported that most of the hesitation by counties to accept the settlement was because the State of Utah was going to take 50% of the proceeds. He noted that after further investigation the State of Utah would take 50%, but most of that would eventually flow to counties anyway. Iron County would be a beneficiary of that settlement which would be disbursed by the Department of Mental Health. Marilyn Woods agreed that under advisement from UAC it would benefit all counties to accept the settlement together and be united. The payment would be made over an 18-year period, which caused some concern. Paul Cozzens made a motion to approve the Declaration by the Iron County Commissioners to accept the proposed Opioid Litigation Settlement presented to Iron County and other counties participation in litigation with various Pharmaceutical Manufacturers, Distributors, and Retailers as presented by Sam Woodall. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL FOR A PARTIAL VACATE AND AMENDED PLAT – LOTS 16 & 17, SCOTTSVILLE SUBDIVISION AMENDED PLAT, AMENDED, 1612 & 1626 NORTH FOOTHILL DRIVE, PARAGONAH, IRON COUNTY, UT, LOCATED IN THE NW ¼ SECTION 22, T33S, R8W, SLB&M

Reed Erickson, Iron County Planner, explained that the amended plat was a result of statutory changes from 2021 that stated if there is a lot line adjustment between two lots in a subdivision it has to be done as an amended plat. A home was built on one of the lots and encroached onto the other lot. Reed reported that the property owner owned both parcels and requested the amended plat adjustment. Marilyn Wood made a motion to approve a partial Vacate and Amended Plat-Lots 16 & 17, Scottsville Subdivision Amended Plat, Amended, 1612 & 1626 North Foothill Drive, Paragonah, Iron County. Second by Paul Cozzens Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Reed Erickson reported that he and Terry Palmer, Building & Zoning, had been working with Senator Vickers and Representative Ship to fix the requirement. Part of the challenge occurs when they try to expand a road and it's up against a subdivision so an amended plat must be created each time that occurs. Senator Vickers sent an email to Senator Randall who sponsored that bill. Senator Randall replied that affecting Rights of Way (ROW) was not his intent in the bill and he would entertain an amendment to exempt conveyances done by dedication deeds for Rights of Way (ROW). Reed noted that a letter was written and submitted to Senator Randall and he said he would forward it to the attorneys that write the amendments for lot changes in the Land Use Management Act. It would be included in the changes this year. Reed explained that it would not change the lot line adjustments to an amended plat, only the road expansion ROW.

DISCUSSION AND POSSIBLE APPROVAL OF UTAH DIVISION OF PARKS AND RECREATION OFF-HIGHWAY VEHICLE FISCAL INCENTIVE GRANT FOR THE HIGH DESERT TRAIL CULTURAL ANALYSIS, SIGNAGE, AND TRAILHEADS

Mike Worthen, Iron County Resource Director, explained that the High Desert Trail begins in Washington County and ends in Box Elder County. The Bureau of Land Management (BLM), Forest Service and various counties met together to designate the trail. Part of the trail in Iron County had to have a culture analysis, and it was very expensive. He had partnered with Beaver County to do both counties at one time. He noted that he applied for a \$10K grant to cover the analysis. Additionally, there was funding in the grant to purchase markers to place on the trail, a proposed kiosk in Newcastle, and maintenance on the trail. The grant Mike is requesting today is for a total was \$27K: He asked the state for \$20K and Iron County to match \$7,200, which includes part of his salary because he is a contracted employee. The \$7,200 includes funds for volunteers. Paul Cozzens made a motion to approve Utah Division of Parks and Recreation Off-Highway Vehicle Fiscal Incentive Grant for the High Desert Trail Cultural Analysis, signage, and trailheads. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDER A RECOMMENDATION FROM THE IRON COUNTY ECONOMIC DEVELOPMENT ADVISORY BOARD CONCERNING THE UTAH RURAL COUNTY GRANT, PART B

Michael Bleak, Iron County Commission Chair, struck this agenda item. Commissioner Bleak explained that the grant requirements changed this year and no longer required approval by the Iron County Commission, rather a letter of recommendation from the Iron County Economic Development Advisory Board.

CONVENE AS THE BOARD OF EQUALIZATION (BOE)

Michael Bleak, Iron County Commission Chair, declared to convene as the BOE.

REVIEW AND APPROVAL OF LOW INCOME AND HOMEOWNERS TAX CREDIT ABATEMENT APPLICATIONS AND VETERAN'S ABATEMENT APPLICATIONS RECEIVED BETWEEN OCTOBER 8, 2021 AND NOVEMBER 30, 2021

Carrie Christensen, Iron County Chief Deputy Auditor (reporting for August Franklin), reported that changes presented on the spread sheet totaled \$86,938.91 in addition to abatements that were reported in October. Of that total amount, \$18,492.10 was a portion added to the amount that could be reimbursed by the state. Carrie explained that the total abatement summary for the year 2021 was \$1,043,941.79. Of that portion, August had requested reimbursement from the state in the amount of \$194,166.20. Marilyn Wood made a motion to approve Low Income and Homeowners Tax Credit abatement applications, and Veteran's abatement applications were received between October 8, 2021, and November 30, 2021 as presented by Carrie Christensen. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented, under Sheriff-Patrol, the promotion of Shawn Peterson from Corporal to Sergeant, effective November 28th, a backfill of a vacant position; Brandon Kennedy from Deputy 2 to Corporal, effective November 28th, a backfill of a vacant position; Michael Hilleger from Deputy 1 to Corporal, effective November 28th; and Sam Word from Part-time Evidence Technician to Full-time Deputy 1, effective December 26th, a backfill of a vacant position. Also, possible approval to grant bi-lingual pay to Skyler Davis beginning December 12th. Paul Cozzens made a motion to approve personnel changes presented by Jennifer Bradbury. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

BOARDS

PLANNING COMMISSION

Marilyn Wood made a motion to appoint Laine Sutherland, Cedar City, to serve on the Iron County Planning Commission, replacing Phil Schmidt. Paul Cozzens noted that he had known Laine Sutherland for many years and Laine had worked for the phone company. He would be a great asset to the Planning Commission Board. Commissioner Bleak explained that Reed Erikson presented Laine Sutherland's name to the commissioners and he came highly recommended. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

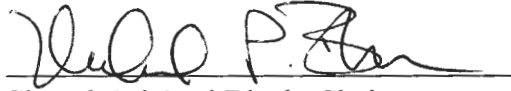
Paul Cozzens expressed his appreciation of Phil Schmidt for his many years of service. He noted that Phil was an amazing person and he had served 9 years on the Planning Commission Board. He was always willing to give the commissioners advice. Marilyn Wood echoed Commissioner Cozzens sentiment and noted that Phil Schmidt will be greatly missed on the board.

TRCC RESTAURANT BOARD

Paul Cozzens made a motion to appoint Daniel Akin, owner of Milt's and Rusty's restaurants in Cedar City, to serve on the TRCC Restaurant board. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Chairman



Attest: Jonathan T. Whittaker, County Clerk

