

**IRON COUNTY COMMISSION MEETING
FEBRUARY 26, 2024**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 26, 2024 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:

Richard Wilson	County Chief Engineer
Sam Woodall	County Deputy Attorney
David Johnson	County Economic Development
George Colson	County Emergency Management
Jennifer Bradbury	County HR Director
Reed Erickson	County Planner
Candace Reid	County Public Defender
Ken Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer

Others in attendance:

David Ha	Jeff Richards	Ken Robinson
Diana Stiller	Gerald VanIwaarden	Charles Waddell
Bruce Washburn	Joel Zander	

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PUBLIC HEARING, ZONE CHANGE-ESCALANTE FARMS, LLC (APN: E-1578-11 6

INVOCATION

An invocation was offered by Gerald VanIwaarden.

PLEDGE OF ALLEGIANCE

Those assembled were led in the Pledge of Allegiance by Chuck Waddell.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held February 12, 2024. Second by Marilyn Wood. Voting: Michael Bleak, Abstain; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Marilyn Wood made a motion to approve Claims for Payment from February 12, 2024 to February 25, 2024. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Update on Southern Utah Veterans' Association (SUVA):

Gerry VanIwaarden, Vice-President of Southern Utah Veterans' Association (SUVA), noted that he felt strongly about helping those experiencing Post-Traumatic Stress Disorder (PTSD). When addressing PTSD, we need to think beyond veterans and include those in our community who suffer from this disorder. Gerry explained that the handout he presented to the commissioners included the following information:

- Effects of PTSD on our citizens;
- Additional information on the "PTS Man" sculpture;
- Southern Utah Veteran's Association history;
- Description of the Veterans Arts Center;
- Map depiction the location of the Veterans Art Center;
- List of board members and their contact emails; and
- Biographical materials of Chuck Waddell, President of SUVA, Inc.

He noted that the SUVA Arts Center will be a positive addition to Iron County and surrounding area. Gerry expressed his appreciation to Commission Cozzens for putting him in contact with Spencer Jones with Velocity Homes. He reported that SUVA had received a grant to purchase 20 acres of property. A Memorandum of Understanding (MOU) was being created with a local developer for the purchase of the property for the center. The location of the Arts Center Building (3,500 Sq. Ft.), a 300 seat Amphitheater, and a full-size replica of the Vietnam Memorial in Washington, DC was along Old Hwy 91 and Ravine Road north of Enoch City. SUVA was currently in the process of obtaining a license to use the names on the replica of the Vietnam Wall. Gerry reported that the purpose of the Veterans' Center would be to provide healing and a social network using arts and other disciplines. SUVA commissioned Jacob Dean, Sculptor, to sculpt a "PTS Man" statute. This sculpture represented the effects of Post-Traumatic Stress (PTS) on human beings. The sculpture was modelled on a local veteran that experienced the life-affecting symptoms of being in combat. The sculpture was currently being displayed in the Ace Hardware lobby in Cedar City. He noted that many first-responders, medical personnel, and others that dealt with frequent traumatic situations also experience the symptoms of PTSD. Mental Health issues were becoming the number one concern across the country. Gerry reported that he had spoken with Benjamin Swank, Major Gift Officer at Intermountain Foundation, who would like to obtain use of the facility on an occasional basis for suicidal pediatric children. He noted that he had been told by Cindy Wallace, former Director of Nursing, that there were children as young as 5 years old contemplating suicide. The Veteran's Center would be a resource to all who had been affected by PTSD. SUVA went to the State Senate and spoke with Senate President Stewart Adams, Senator Evan Vickers, and Representative Rex Shipp. He noted that he dropped off information for Governor Cox and Lieutenant Governor Henderson. Gerry reported that he attended the Installation of the Home Builders Association at SUU and was able to spend some time with Governor Cox, who asked Gerry to keep him informed on the project. The next step would be to begin solicitations for donations and they would have to formulate plans on how to accomplish that. He reported that the total estimated cost was approximately

\$10M. Gerry reported that there was an upcoming meeting related to the construction progress of the Veterans' Cemetery. The SUVA submitted a name change to the Cedar City Council from the Cedar City National Cemetery to the Southern Utah National Cemetery, which was accepted. Gerry reported that Tony Broderick, VA National Cemetery Administration, had asked to meet with those in government and service organizations who wish to attend with himself and Deputy Hugo Caruso at the Marriott Hotel in Cedar City on March 5th at 7:00pm.

DEPARTMENTAL REPORTS

Jon Whittaker, Iron County Clerk, expressed his appreciation to the SUVA and Gerald VanIwaarden. Jon reported that the Presidential Primary Election was currently underway. There were approximately 2K Democrat ballots mailed, and Republicans would vote on caucus night March 5th. The canvas would be held on March 19th, and the Clerk's Office was doing well. Jon expressed his appreciation to Commissioner Bleak for including him on the trips to the legislative sessions. Jon noted that when he speaks with his fellow Clerk's he expressed that it was good to build relationships with the legislators, and to be confident and explain what their county needs were. He reported that the 2023 General Funds budget-Clerk ended at 99.45%, Non-Departmental at 98.06%, and Elections at 89.31%. Since January 2024 the General Fund-Clerk was at 12.78% spent, Non-Departmental at 85.86%, and Elections at 5.77%.

George Colson Iron County Emergency Management Manager, expressed his appreciation to the SUVA for their work with PTSD. George noted that the 2023 budget ended at 98.16% and was currently at 15.88%. He reported that in December 2023 he attended the Tribal Council meeting and was planning on offering a Community Emergency Response Training (CERT), supplied tourniquets to Southern Utah University (SUU) and Enoch Police Departments (PD), and Sheriff's Office for their Individual First-Aid Kits (IFAK) for their officers. He attended the grand opening for the new Paiute Clinic, sponsored his Annual Volunteer Dinner, served as the evaluator for an Active Shooter exercise for IHC Hospital in St. George, and sponsored a CERT medical training for the newly acquired Starlink. In January he attended the Pipeline Safety Conference, and completed the 2nd Quarter Emergency Management Performance Grant (EMPG). George reported that he acquired a mobile Morgue for Iron County which could hold 12 bodies and had its own compressor. He assisted in Canyon View Middle Schools Carbon Monoxide (CO) alert and requested the Utah National Guard 85th Civil Support Team (CST) come to Cedar City to assist. He noted that the Cedar City Fire Department went through the building 10 different times and could not find a point of contamination. The 85th CST did find that a generator was the point of contamination. There were 80 people who complained of CO symptoms and 55 were treated in a hyperbaric chamber, and he held the Emergency Communications (ECOMM) Winter Field days. In February he attended a Regional Public Information Officer's (PIO) training in St. George. George reported that the Federal Government cut Narcan funding and the state pulled what was left in funds to the state. Narcan was expensive (\$40 - \$80), and hard for local and rural law enforcement to keep on hand. George noted that he had been working with the State Health Department and ordered Narcan for Iron County Law Enforcement. He also spoke with Senator Vickers and the State Director of Emergency Medical Services to make them aware of this issue. George reported that he submitted the initial flood damage report to the Federal Emergency Management Agency (FEMA) on the 21st for reimbursement and had an in-person meeting with a FEMA Team on the 23rd. He noted that FEMA was very impressed with the report and said, "It was refreshing to receive a report that did not try to gouge them for money." George assured them that Iron County's intent was to be reimbursed for only un-programed money. FEMA sent another stack of papers to fill out and reported that if the reports continued in the same manner, the process could be wrapped up by April and reimbursement might begin to come in earlier, rather than having to wait a year. The next FEMA meeting would be on March 8th at the Iron County Courthouse.

David Johnson, Iron County Economic Development Director, reported that he was the son of a veteran and it was nice to hear Mr. VanIwaarden speak. David noted that he was married and had four children. Previously, he had been the City Manager in Blanding Utah, Economic Development (ED) Director in Saratoga Springs, and now the ED Director for Cedar City and Iron County. He reported that while he was in Saratoga Springs he was over Events, Public Director, and the PIO Officer for the city, police and fire Departments. David noted that he had the pleasure to work on the Saratoga Springs Patriot Park, a baseball complex, and placed a Veteran's Monument on the site. David expressed his appreciation to the commissioners for the increase from the Iron County contribution to help with ED. He noted that he talked on a regular basis with Danny Stewart, former ED Director, and he was glad to have him around. Savage Company would be having the ribbon-cutting ceremony for the new Transload facility this summer. David reported that because of the increase in funding, ED was able to join the Utah Aerospace and Defense Association (47G). There was a focus in Iron County on aerospace and defense. He noted that there had been businesses in these fields reach out already with interest in Iron County. David reported that the Iron County Development Advisory Board just completed the Iron County Small Business Rural Grant process. This was a multiple step process beginning with pre-applications, being narrowed down to 10 by the advisory board, and last those 10 were narrowed down to 5. This afternoon he would personally call those 5 to award them their grant amount. He explained that last year there were 22 applications, and 46 applications were received this year with \$1.5M in requests, and only \$60K available. David noted that he would be checking into an increase in funding next year. He closed by reporting that great things were happening in Iron County. David expressed his appreciation for the incredible collaboration in Iron County. Commissioner Bleak expressed his appreciation to David and that he was the right guy for the job. Marilyn Wood asked David if there were businesses coming to the north interchange. Dave replied that there were, but he was not ready to disclose that information at this time. He did note that the Fosters store located in Enoch was owned by Associated Foods and there were plans to build a larger grocery store there.

Jennifer Bradbury, Iron County Human Resource (HR) Director, reported that the budget was on track. Since the last HR report, HR posted, interviewed, and hired 12 Full-Time positions; 4 internal promotions; and currently, HR was in the process of recruiting/hiring 8 Full-Time positions and 3 Part-Time position. Jennifer noted on points of interest. Turnover for 2023 was 20.56%, or 51 positions. Compared to the same timeframe in 2022, turnover was 117.74% or 44 positions. Present turnover since January 2024 was 1.61% or 4 positions. She reported the Workman's Compensation Experience Modification (E-Mod) rate decreased for the 2024 year to .87 because a large claim was dropped off the Iron County plan, which was good news because E-Mod figures under 1.0 would result in lower costs for Iron County. Jennifer reported that she was currently tracking a few bills in the 2024 Legislative session, particularly Senate Bill (SB) 140, which covered employer coverage to the 2024 fiscal year mandatory employee contribution. Jennifer presented milestone Anniversary's since last Quarter. Celebrating 5 years was Paul Cozzens (Commissioner), Sam Woodall (Attorney Office), Kaylee Pickering (Tourism), Erin Johnson (Recorder's), and Ken Carpenter, Charles Day, and Ryan Session (Sheriff's Office). Celebrating 15 years was Josh Meredith (I.T.). Celebrating 20 years was Jon Whittaker (Clerk), John Englestead and Nathan Houchen (Sheriff's Office), and Travis Benson (Road Department).

Candace Reid, Iron County Public Defense Attorney, expressed her appreciation to Jennifer Bradbury for the time she puts into her job. Candace reported that Public Defense had ended 2023 under budget. There were some items that were under-utilized and she expected a similar outcome for 2024. She noted that most resources went toward the Training budget, Defense resources, or District Court resources. Candace explained that the District Court resources were private investigators or witness fees. The reason why some items were under-utilized was the result of trials not moving forward. The trials were always slated and scheduled but do not move forward for many different reasons. She noted that trials were scheduled for 2024 and she worked with the Judges on how to balance them making sure the caseload and backlog could be cured. There was still some backlog from COVID. Attorneys and Public Defenders were doing well. There was a jury trial scheduled for this week with one of the new

Public Defenders handling the trial. Candace reported that the Indigent Defense Commission (IDC), which funded her position, was in the legislative session. She had several meetings with the IDC and they indicated that the program would be continued and her position renewed. Candace reported that one Administrative Assistant had retired and she was in the process of advertising for a replacement for that position.

Marilyn Wood, Iron County Commissioner, reported that each Thursday during the legislative session there were Utah Association of Counties (UAC) Zoom meetings. This last meeting was an update on all the bills that UAC was tracking going through the legislative sessions. Marilyn noted that she and Jamie Evans, Iron County Fair Director, had been meeting with Garth Green, Cedar City Mayor, regarding the Storybook Parade. She explained that the Storybook Parade was not held last year due to a lack of volunteers to help with it. The parade was held in November and the Iron County Fair was over by then. Jamie Evans suggested that Iron County might be able to help with the parade. The parade would still be held in Cedar City and the floats, costumes, etc., would continue to be stored there also. Jamie brought the idea to the Cedar City Council and offered to help with the Storybook Parade. Marilyn reported that on the 13th she attended a work meeting with the Natural Resources Conservation Service (NRCS) to prioritize projects to work on. Beaver, Washington, and Iron County participated in those discussions. There was a meeting with the Weed Board on the 15th, which she attended with Amber Hatch, Weed Supervisor. Amber was working on obtaining grants. Weeds were a challenge and Iron County needed to stay on top of them. She reported that she attended a meeting held on the 20th regarding the Parowan Recharge Project, and others that were involved with the project, to discuss the use of the Iron County gravel pit and possible other sites. Commissioner Wood reported that she attended the Annual Lincoln Day event. There was a fundraiser for the Cedar City Heritage and Livestock Festival and Nate Moses, Regional Water Engineer, spoke on water rights, which was beneficial to ranchers and farmers.

Paul Cozzens, Iron County Commissioner, reported that he attended the UAC Board meeting held in Salt Lake City. The next day he attended the Yellow Cake Caucus. There was a presentation from a gentleman from Energy Fuels on how they process uranium in Blanding, Utah, which was very interesting. Red Acre Farms from Cedar City was attending the legislative sessions following bills regarding small food producers and provided breakfast to those at the caucus meeting. Paul reported that he was concerned with HB 562 Fairpark Area Investment and Restoration District (U-FAIR). The bill created a new state district to protect the State Fairpark and revitalize the long-neglected Westside of Salt Lake City. Additionally, HB 562 set up a framework to build a Utah owned state-of-the-art baseball stadium should Utah secure a Major League Baseball team by 2032. Part of the funding would be through an increase to the Transient Room Tax (TRT) by 1.6% throughout the state, and 0.1% of that would come back for Emergency Management Services (EMS), Public Safety, and Search and Rescue. Paul noted that Washington County Commissioners contacted him that they were also concerned about the amount of money we would be required to send. He reported that he received a call regarding the speed limit signs on Iron Springs Road. Apparently there were two different speed limits depending on which way you were headed. One direction was one speed and coming back it was a different speed on the same road. There were persons being cited for going the wrong speed and it needed to be consistent going both directions. Garth Green, Cedar City Mayor, sent notices on changing the Wastewater Treatment from a Type 2 effluent to a Type 1 effluent to allow for more use in homes and irrigation. Paul noted that Mayor Green asked for a member to represent the commission to help and he agreed to do so. Commissioner Cozzens reported that he met with Mike Clark last week regarding the Woodbury Split. He explained that during the 2023 runoff water from the Woodbury Split was diverted to Rush Lake to ease flood issues. They were hoping to dig a channel, and possibly build a reservoir for the Clarks to use, and the excess would flow out to Rush Lake. He noted that if too much water was diverted toward the west it became an inconvenience for some of the ranchers and their livestock. There had been discussions in the Cedar City Council meetings regarding the Woodbury Split. There was a great deal of debate on the structure and what to do moving forward regarding placing controls on the structure so it would be easier to control the water. Paul reported that any time someone began

changing a structure that had been around for over 100 years at a 60/40 split, could raise some real concerns.

Michael Bleak, Iron County Commissioner, reported that he had attended the National Association of Counties (NACo) Legislative Conference in Washington D.C., where he was a member of the Justice & Public Safety Committee. It was a great opportunity to be able to meet with local legislators to discuss concerns and issues of Iron County. Michael expressed his appreciation to Jon Whittaker for joining him on his trips to the state legislative sessions for the Jail sales tax. He noted that most of the departures were not well planned and they had to get everyone organized for rides and leave fast. They would get notice at 5:00 p.m. and have to be at the Capital by 10:00 a.m. the next morning. Others that came up at the last minute to support Iron County were Sheriff Carpenter, Shalon Shaver, and Marcus Keller. He expressed his appreciation to Senator Vickers and Representative Shipp who were very helpful throughout this process and were always available. They represent Iron County well. Commissioner Bleak reported that he spent a day with David Johnson, Economic Development Director, showing him around Iron County and introduced him to staff and elected officials at the Iron County Courthouse. He took him out to BZI and toured Port 15 with Brent Drew. Michael noted that with all the new development in Port 15 there was a concern that Iron County would not be able to supply the workforce they would need. Port 15 reported that there had not been any issues in filling positions and that they were fully staffed. He reported that he spent time on the Economic Development Advisory Board working through the Small Business Development Grant process. There were so many that need help which made for some very tough decisions. Commissioner Bleak reported that he had the opportunity to meet at Senator Mike Lee's Office regarding relationships between Iron County and Federal Agencies (BLM and Forest Service) and what they could do help to accommodate those types of relationships.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM RESIDENTIAL 2 ACRE (R-2) TO AGRICULTURE 20 ACRE (A-20). LOCATED AT APPROXIMATELY 6000 – 6400 NORTH AND 6300 – 6400 WEST, BERYL, UTAH. APPROXIMATELY 38.06 ACRES, LOTS 1 THROUGH 16, BLOCK H, SANTA ANNA RANCHOS, VALLEY VISION SUBDIVISION UNIT 3, WITHIN THE W ½ NW ¼ SECTION 30, T34S, R17W, SLB&M, IRON COUNTY (APN: E-1578-11) Applicant: Escalante Farms, LLC

Reed Erickson, Iron County Planner, explained that this was a subdivision that had no development on the 16 Lots located east of Modena and NW of Beryl Junction. Reed reported that the property was adjacent to A-20 and R-20 within Tier IV. The proposed use for the property was a zone change to A-20 and to vacate Lots 1-16 out of the subdivision to allow for a pivot. Services available were: Water by private well for irrigation and there were no other services in the area. Escalante Farms owned all 16 lots.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding a proposed zone change (APN: E-1578-11).

No public comment were offered.

Michael Bleak, Iron County Commission Chair, declared the Public Hearing closed.

Reed Erickson reported that, after review and findings, the Iron County Planning Commission (ICPC) confirmed that the applicant was compliant with Iron county Policy – Evaluation Consideration for Re-Zoning Property, and recommended approval.

Paul Cozzens made a motion to approve the zone change from Residential 2 acre (R-2) to Agriculture 20 acre (A-20) regarding APN: E-1578-11 as presented by Reed Erickson. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Reed Erickson noted that approximately one year ago, there was a discussion on Iron County establishing a Boundary Commission but no action was taken. He explained that there were two, possibly 3 annexations, one in Parowan, one in Cedar City, and one in Brian Head. There were some residents who were being included in an annexation that did not want to be. Reed reported that state law required that a person had to qualify as a “protester” by being an owner of real rural property. It was hard to define the real rural property, in this instance, for

them to qualify because of the small lots (1500 acres of agriculture production land). The emphasis was to encourage the annexation when they were included with other property that Iron County would not include in services in the future. Reed noted that by recommendation from Sam Woodall, Iron County Deputy Attorney, regarding the requests was to wait to address the requests to see if there might be a qualified protester under the real rural property policy rather than establish a Boundary Commission at this time. Reed requested that if the commissioners received any questions regarding the annexations to please refer them to himself or Sam Woodall.

PUBLIC COMMENTS

Diana Stiller, a resident of New Harmony, noted that she had some concerns regarding the proposed “New Harmony Ranch Village” development in New Harmony Valley. Diana stated that the Specially Planned Area (SPA) zone in a designated Tier III was wide open. There were many good ideas, feasibility, cans, mayes, and areas that had not been used in this fashion in a completely new area in a community that does not want it. She asked the commissioners to please familiarize themselves on this proposed village. Diana was also concerned about the state ordinance regarding a Special Service District (SSD). There was a lot of potential in a SSD but this was a monster in the making because it was a state code and not a county code. Please read through this with a skeptical eye before it was brought before the commissioners.

Reed Erickson replied that the item referred to by Diana Stiller would be on the March 7th agenda of the ICPC for discussion, which would be the second public hearing. It was advertised for a public hearing scheduled to come before the Iron County Commission on March 11th. He reported that the intent of a SSD would be explained at the public hearing by the developer. Reed explained that the developer had to provide a central sewer system and the only way to do that was through a SSD. It had to be an entity that could own and operate the sewer system, which could not be done privately. Iron County Ordinance required that this be established as part of the Development Agreement. Reed noted the order in which this had to happen. 1) Apply for a General Plan Amendment - Tier III change; 2) Apply for a SPA zone change (Village) from A-20 to SPA; and 3) the Development Agreement that locked in the developer and Iron County to assure that those things would happen in the future.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented new hire Jason Duffy as a Full-Time Corrections Deputy 1 in the Sheriff’s Department-Corrections, effective March 31st. This was a backfill of a vacant position; new hire Tanner McIntosh as a Full-Time Corrections Deputy 1 in the Sheriff’s Department-Corrections, effective March 18th. This was a backfill of a vacant position; the promotion of Emilee Campbell from Deputy 1 to Deputy 2 for the Sheriff Department-Corrections, effective February 18th; new hire Michael Sannar as a Full-Time Patrol Bailiff in the Sheriff’s Department-Patrol, effective February 20th. This was a backfill of a vacant position; and new hire Trent Sukowaty as a Full-Time Maintenance Worker in the Road Department, effective March 5th. This was a backfill of a vacant position.

Jennifer Bradbury presented the Amendments to Iron County Policy Section 15 – Reimbursement for Travel Expense, effective February. The amendment was to update the 2024 Per Diem rates set by the State of Utah and to add an addendum that Iron County would only cover meals that were not provided during a hotel stay, conference, or training. A second addendum was to “follow the GSA breakdown for meals when traveling out of the State of Utah” which would give the employee a little excess when traveling. This was presented at the February 12, 2024 Commission meeting by Lucas Little, Iron County Auditor. Express concerns for food allergies, and grab and go breakfasts. Picture of place staying to establish meal provided. Repayment of over use of county credit card.

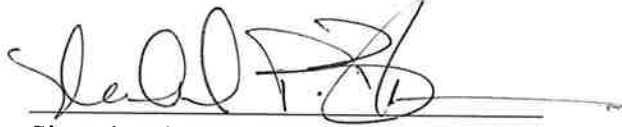
Marilyn Wood made a motion to approve the personnel changes and policy updates as presented by Jennifer Bradbury. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.



Signed: Michael Bleak, Chair



Attest: Jonathan T. Whittaker, County Clerk

