

IRON COUNTY COMMISSION MEETING
MAY 13, 2024

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 13, 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:

Karsten Reed	County Assessor
Lucas Little	County Auditor
Terry Palmer	County Building & Zoning
Shalon Shaver	County Corrections
David Johnson	Economic Development Director
George Colson	Emergency Manager
Jennifer Bradbury	County HR Director
Lori Eichelberger	County Justice Court
Mike Worthen	County Natural Resources
Reed Erickson	County Planner
Kenneth Carpenter	County Sheriff

Others present:

Carol Barker	Laura Barnowski	Darlene Brinkerhoff
Cindy Bulloch	Tom Coverick	Maile Edwards-Wilson
Brad Esposito	Darci Fersch	Terry Hartley
Weston Jessop	Marcus Keller	Mark Owens
Joseph Peterson	Logan Reid	Jeff Richards
Julie Sanders	Susan Sepe	Exilda Serrano
Danny Stewart	Kevin Swenson	Patti Truax
Bruce Washburn		

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INVOCATION

An invocation was offered by Paul Cozzens.

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 meeting held April 22, 2024. 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 April 22, 2024 to May 12, 2024. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Lori Eichelberger, Iron County Justice Court, noted that the budget was on track. Lori reported that one area that would need scrutiny was interpreter pay. Their salary continued to increase from \$52 per hour to \$54 per hour. She noted that there was one interpreter that assists the courts that speaks French and Arabic and was commanding \$60 per hour. Lori reported that the Justice Court was fully staffed with nine total including the presiding Judge. Lori reported on the first quarter statistics. DUIs were up by 5, Driver's License violations up by 5, Moving violations up by 415, Non-moving violations up by 173, Assaults were down by 3, Theft up by 16, Controlled Substance/Narcotics up by 12, Domestic Violence down by 2, and other miscellaneous Misdemeanors/Infractions up by 32. Revenue collected was up by \$41,382, Revenue disbursed to the state was up by \$15,836, and Revenue retained by Iron County was up by \$25,546. Citation comparisons: Cedar City Police Department (CCPD) down by 19 from 2023, Iron County Sheriff's Office (ICSO) was up by 109, and Utah Highway Patrol (UHP) was up by 250. Lori explained that in 2022, a Court rule was passed that started requiring that Judicial Assistants be certified and continually trained and educated to keep up with the best practices and most current legislative changes. In addition to Clerk (Judicial Assistant) training that she and her staff attend every year, they were now required to complete at least two online courses each month. The Administrative Office of the Courts (AOC) created a Learning Management System (LMS), which all Judicial Assistants were required to access and perform the required training. The court system is intricate and there are many policies and procedures mandated. These courses and offerings help all of them to become truly experts in what they do. Lori noted that with the training there was a job shadowing component that was required and was also time-consuming, within the Iron County Court system and other Courts to learn their practice and vice versa. Additionally, the Court's Certification was tied to all Judicial Assistants keeping up with their training, and always being current. Lori reported that the AOC ruled that if a Judicial Assistant falls behind on their training their Correctional Offender Record Information System (CORIS) access would be suspended until they had completed the training required, which also included maintaining the Court's Certification. She noted that she reached out to Jennifer Bradbury to assist her in preparing a new title/pay structure, based on comparisons from other Justice Courts beginning pay. Based on the survey the average minimum starting pay was \$18.56 per hour. She then broke that average into Court Class, Iron County was a Class 1 Court. Court Class 1 average was \$18.49, Class 1 with a County Class 3 was also \$18.49. Iron County's starting pay was \$17.10 per hour. Lori reported that she would like to recommend a restructuring of Titles and Grades for all Iron County Justice Court positions based on the mentioned information. She noted that it was not her intention to begin this today, but for it to be considered, and if that would have to wait until budget meetings for 2025 she understood. Lori explained that the Justice Court currently had a Justice Court Judge, Court Administer (herself), one Senior Judicial Assistant, a Judicial Assistant 2, and a Judicial Assistant 1. She recommended the following Job titles/grades: Judicial Assistant 1-Trainee (all certification and training complete)-Grade 3; Judicial Assistant 2-after probation/certification-Grade 4; Judicial Assistant 3-after 5 years' service-Grade 5, Senior Judicial Assistant-1 position-Grade 6. Lori noted that she felt that this was the right time to address this issue and the recommendation would build in opportunity and motivation for advancement. It was imperative for Iron County to remain a desirable employer by offering competitive salaries to its employees. Iron County, along with other counties, faces challenges in attracting and retaining top talent. Salaries were falling behind those offered by the State of Utah, neighboring counties, and private sector employers. Over the past 9-plus years, through a lot of hard work and mindful leadership, Iron County had been able to stabilize its workforce to some degree. Lori listed the following importance of competitive salaries:

- Attracting top talent: competitive salaries are crucial for attracting skilled individuals who can contribute significantly to Iron County's development and progress;
- Retention of talent: offering competitive salaries is essential for retaining experienced and knowledgeable employees, reducing overall costs, and maintaining institutional knowledge;
- Motivation and productivity: competitive salaries motivate employees, leading to increased productivity, efficiency, and overall job satisfaction; and
- Maintaining a positive image: by offering competitive salaries, Iron County can enhance its reputation as an employer of choice, which can help attract a diverse pool of talented candidates.

Lori expressed her appreciation for the commission's attention and consideration of the importance of this matter in the next budget discussions and take action to enhance Iron County's competitive edge. Commissioner Bleak expressed his appreciation to Lori and the Justice Court's hard work and professionalism.

Marilyn Wood, Iron County Commissioner, reported that she attended the Utah Association of Counties (UAC) Convention in St. George where they discussed the recent Legislative Session's actions and bills. Marilyn noted that UAC was 100 years old. She reported that there had been continued concerns from residents regarding road issues. Marilyn explained that although roads in Iron County were platted county roads, they were not maintained by Iron County. Many years ago, when subdivisions were being created there were no regulations in place for the construction of roads when subdividing. In and around the 1980s's, Iron County adopted a Subdivision Ordinance that required roads within existing subdivisions be brought to an acceptable county maintenance standard. Unfortunately, there were many roads located throughout Iron County, and it was next to impossible for the road department to maintain all of them. There were times when residents of a subdivision decided to maintain their own roads. Marilyn requested that before these subdivisions decide to maintain their road to please come into the Engineer's Office and sign a Memorandum of Understanding (MOU) releasing Iron County from liability when the roads were being worked on. Residents of a subdivision could also apply for a Special Assessment Area where the roads would be upgraded to Iron County standards and then maintained by Iron County. Residents of the subdivision would pay for the upgrade through a bond, administered by Iron County, which could then be paid in lump sum, each year, or with their property taxes. Marilyn reported that the Road Department would begin patch work on the roads today. During approximately the 2nd week in June, they would complete the chip seal on 7700, chip seal on Lund Hwy and Beryl. Commissioner Wood reported that the Landfill had a 3-year pile of old tires that finally got picked up by a company, which the Landfill had to pay for. One solution to alleviate the cost of having someone pick up the tires was to begin covering the landfill with shredded tires. To be able to shred the tires, the landfill would have to purchase a ECO Monster single-shaft hydraulic shredder that eats tires and other waste materials into 6" minus shreds. The landfill waste was required to be covered daily and this would be better coverage and more efficient. She noted that there would need to be a legislation change in the law to allow it. Bruce Anderson, Iron County Public Works Director, visited Idaho where they shred tires and use them for landfill coverage. He observed the process and gathered information. Bruce planned to meet with the legislators to address the change.

Paul Cozzens, Iron County Commissioner, reported that he had meetings and was in discussions with Cedar City and Jared Platt regarding obtaining water for the new jail. He explained that the Cedar City Ordinance did not supply water outside of the city limits, so a contract was being drafted to allow Cedar City to supply water to the jail (which was to be built on unincorporated land). Paul noted that he attended the 5 County Behavioral Health Board meeting and there would be a slight increase in the amount of Iron County's share to support that program. He was unable to attend the UAC meeting but was able to attend the UAC Board meeting. Paul explained that there was a landscape incentive program provided by the Division of Water Resources (DWR). He noted that residents could qualify for up to \$1.50 per square foot for removing lawn and replacing it with water-efficient landscaping. He had spoken to Terry

Palmer and Reed Erickson about the program. Paul reported that in order for Iron County to qualify for the program there had to be standards passed. Some of those were:

- No lawn in parking strips or areas less than 8' in width, no more than 50% of front and side yard landscaped areas and no new residential development shall be no more than 20% lawn;
- Lawn limitations do not apply to small residential lots with less than 250 square feet of landscape area; and
- New commercial, industrial, institutional, and multi-family development common area landscapes lawn area shall not exceed 20% of the total landscaped area outside of active recreation areas.

Paul reported that he was concerned with signage for persons wanting to start a business in the valley regarding the size and signs on buildings. The current size limit was 10 square feet. He explained that there was an individual that placed a sign on his business that exceeded that size limit. His business was on 20 acres, and it sets so far back that a smaller sign could not be seen. He placed a larger sign and had received some pushback because of it. Paul expressed that the commission should address the restrictive sign size regulations.

Michael Bleak, Iron County Commissioner, reported that he had met with Red Acre Farms and Nature Hills Farms regarding issues with land use on their small farms. He encouraged them to work with the building and zoning departments. Mike noted that these small farms were an integral part of our community and need our support. They were families on small acreage that were able to carve out a living helping our community. Commissioner Wood noted that during a Farm Bureau presentation, they reported that it was easier to do this type of small farming in Salt Lake City than in Iron County. The small farmers were not only feeding us, but they were educating people about agriculture. Commissioner Cozzens noted that one day we would be grateful for those people who provide food for us. We are thankful now, but if we fall on hard times we would be even more grateful. Mike noted that this issue was one of the first issued brought to him when he became a commissioner. It had been a pleasure to watch the small farms progress. Commissioner Bleak reported that Southern Utah University (SUU) held a groundbreaking for their new music building. Marilyn Wood noted that it was a very nice groundbreaking. She reported that her church ward had a stained-glass window that SUU had stored and was restoring. It would be located in the new music building. Mike expressed his appreciation to David Johnson, Iron County Economic Development Director, for keeping the Economic Development Board very active. Commissioner Bleak reported on the importance of fostering relationships within our community. He explained that SUU Aviation received a large, non-operational, helicopter that was donated for their maintenance program. When it was delivered, they were unsure how to get it off the truck. Mike contacted BZI and they used their large telehandler to hoist it off the truck. The smallest of relationships could solve large problems. SUU Aviation has elected to place a BZI sign on the helicopter for their help. Mike reported that the new Children's Justice Center (CJC) building was nearing completion. Work on the parking lot would begin once the weather improved. He noted that the health department received a mobile disaster morgue but were unsure of what to do with it. George Colson, Iron County Emergency Manager, raised his hand and told them he would take it. Hopefully, it would not be something we need, but it was here if it was needed. Commissioner Bleak wished all the Mothers a belated Happy Mother's Day.

Marilyn Wood noted that there was a groundbreaking for the Central Iron County Water Conservancy District's (CICWCD) new building on Westview Drive.

TRIBUTE TO SGT. BILL HOOSER

Commissioner Michael Bleak explained that he had been in Law Enforcement (LE) in Iron County for over 28 years. Mike reported that on May 5, 2024, Police Sgt. Bill Hooser was murdered while in the line-of-duty. Mike noted that he had been working that day in Enoch City. Every LE in the State of Utah was mobilized. The Utah Hwy Patrol (UHP) put a call out to every off-duty trooper that could respond. The incident began in Santaquin. The suspect fled and stole a semi-truck, made it to Mt. Pleasant, broke into a home and then stole a firearm. He then

went to the garage of the same home and stole a truck and crashed it through the garage door. At that time the suspect fled once more to an unknown destination of travel. Officers worked and established a time frame for where he might have gone. Mike noted that his assignment was from the roundabout in Enoch to the Parowan Gap. He explained that when something of this nature happened, all LE went to an "Ops Channel," which was one channel throughout Utah. Ultimately, the suspect was apprehended near Vernal, Utah. Commissioner Bleak paid tribute to Sgt. Hooser by reading from his obituary, "Bill Hooser was born on December 18, 1973, to Dayton and Bonnie Reeves Hooser who lived in Cleburne, Texas at the time of his birth. There Bill met his wife Kinda Edwards in 1992. They were married on September 14, 1995. Together they had two beautiful daughters, Shayle in 1997 and Courtney in 1999. Although Bill loved being a girl dad, he welcomed his two sons-in-law, Jake and Karson, with open arms and they became his. He loved his family with everything he was and was so proud of them. His first granddaughter, Paxton, was born recently, and he loved being a grandpa. He had a passion for the outdoors and took every opportunity that he could to be out in the mountains camping, or at the sand dunes riding his side-by-side. He counted his friends as family, and he loved being with them having fun and laughing. Bill's first real job was framing. He gained a passion for building and carpentry. He built furniture pieces to rival master craftsmen. Approximately 10 years ago, while living in New Mexico, Bill decided to join the Volunteer Reserve Deputies for the San Juan County Sheriff's Department. While volunteering, his passion for serving grew into a need to change careers and become a full-time Law Enforcement Officer with San Juan County Sheriff's office. In 2017, Bill and the family moved back to Utah and he began his career with the Santaquin Police Department. His love and passion for the community he served only grew. In a short time, Bill was promoted up the ranks and proudly served as Corporal, Detective, and Sergeant. He was proud of the work that he did and loved the people that he worked with. Bill was the first one to jump in and help when anyone needed it. A real testament to the man that Bill was, is the many lives that he touched. He made everyone feel like they were his best friend, and they were the most important thing in the world." Mike reported that in 2002, Iron County lost one of its own, Deputy Ed Dare. Mike had worked with Deputy Dare and had the opportunity to attend his memorial in Washington, D.C. at the National Officers Memorial, which was one of the greatest honors he had experienced as a peace officer. He explained that Deputy Dare was in route to back up another officer on an impaired driver call. Deputy Dare lost control of his vehicle and crashed into an irrigation canal and could not be found for several hours. Commissioner Bleak noted that as a police officer, he left home many times with body armor and firearms and didn't think that it might be the last time he left his home, but his family did every time. Mike had not left his home this week without thinking he might not return. He noted that this was a senseless crime by a guy who had aggravated murder charges stemming out of Oregon and Colorado. Those justice systems failed him and us. Mike reported that officers throughout Utah were wearing shrouded badges today in respect of Sgt. Hooser. His funeral was today and began at 10 a.m. Please keep his family in your thoughts and prayers. It was also a very difficult day for LE. Commissioner Bleak noted that he would rather be attending the funeral today than commission meeting.

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT FOR CONSTRUCTION SERVICES FOR THE IMPROVEMENTS AND CONSTRUCTION AT THE IRON COUNTY FAIRGROUNDS. AWARDED TO LEGENDARY HOME BUILDERS

Terry Palmer, Iron County Building and Zoning Administrator, reported that after following the bid process, the contract was awarded to Legendary Home Builders for improvements and construction on the Iron County Fair Exhibit Building for the full contracted amount of \$200,233. Terry explained that during the course of the project, Iron County could authorize material changes to the project for up to \$20K.

Marilyn Wood made a motion to approve the contract awarded to Legendary Home Builders for the improvements and construction at the Iron County Fair Exhibit Building for \$220,233. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC HEARING, REGARDING THE ISSUANCE OF SALES TAX REVENUE BONDS, PURSUANT TO TITLE 11, CHAPTER 14A OF THE UTAH CODE ANNOTATED 1953, AS AMENDED, FOR A JAIL PROJECT THAT WAS PREVIOUSLY REJECTED BY THE VOTERS OF IRON COUNTY DURING A GENERAL ELECTION

Marcus Keller, Crews & Associates, explained that the Sales Tax Revenue Bond was a result from feedback from voters to have an Excise Tax in place rather than a property tax. Through the commissioners' hard work working with the state legislature, they were able to find a unique option which allows them to implement this additional sales tax to help paying for the bonds. Today's public hearing was the first step of the bonding process.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding the issuance of Sales Tax Revenue Bonds.

Carol Barker, a citizen of Iron County, reported that she had the opportunity to tour the Beaver County Jail. Carol stated that her comments were not directly aimed at the current commission as they would all be gone by the time the new jail opened. Her comments were for the new commission and the new Sheriff because Sheriff Carpenter said he would be resigning. Carol reported that there was a significant difference between the Iron County Jail and Beaver County Jail. She was completely impressed by the Beaver County Jail. She noted that she did raise concerns last year regarding the maintenance of the Iron County Jail that she heard during her tour of the jail. She asked, during one town hall meeting, how long the jail had been operating in the red, and jokingly it had been said it had been operating in the red as long as the jail had been open. Carol stated that her current concern was that the new jail, because residents were funding it, would be the best-run facility in Iron County, the best-run jail in the State of Utah, and be self-funding and not a burden on the community. She encouraged commission candidates to tour the Beaver County Jail and the Iron County Jail and compare the two, and to set the bar high. As a taxpayer and resident of Iron County, she expected excellence and would hold Iron County accountable.

Darci Fersch, a citizen of Iron County, directed her comment to the reputation of Crews & Associates. Darci reported that she visited their website under disclosures and there were a number of violations with municipal bond tenders. Darci asked Mr. Keller to address those issues and if he could assure that Iron County funds would be protected.

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

PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM AGRICULTURE 20 ACRES (A-20) TO LIGHT INDUSTRIAL (LI). APPROXIMATELY 13.8 ACRES WITHIN THE NW¼ OF SECTION 1, T37S, R12W, SLB&M, IRON COUNTY, UTAH, LOCATED AT APPROXIMATELY 3402 S OLD HWY 91, CEDAR CITY (APN: E-257-1) Applicant: Ryan Brindley

Reed Erickson, Iron County Planner, explained that this zone change request was to bring the existing use to be in conformance with the Light Industrial zone, consistent with the property located directly north, Paiute land, which was also recently zoned to Light Industrial as well. The property was within Tier II and the Cedar City annexation declaration boundary. The proposed use was for personal storage facilities. The property was currently being cleared and graveled, with cargo containers on site. Services available were: Water – private well when required (no need at the present with requested use), Sewer by septic when required (no need at the present with requested use), and other utility services in the area. Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding a proposed zone change.

No comments were offered.

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

Reed Erickson reported that the Iron County Planning Commission (ICPC) had reviewed the Evaluation Considerations for Rezoning and recommended approval of the zone change.

Paul Cozzens made a motion to approve a proposed zone change from Agriculture 20 Acres (A-20) to Light Industrial (LI) regarding APN: E-257-1, as presented by Reed Erickson.

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

PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM RESIDENTIAL 5 ACRES (R-5) TO RESIDENTIAL ½ ACRE (R-½). APPROXIMATELY 80.47 ACRES WITHIN NE¼ SE¼ & SE¼ SE¼ SECTION 21, T35S, R11W, SLB&M, IRON COUNTY, UTAH, LOCATED AT APPROXIMATELY 2300 W & 3200 N TO 3600 N CEDAR CITY (APNs: D-618, D-620 & D-620-1) Applicant: Onado Investments, LLC

Reed Erickson, Iron County Planner, explained that the zone change request was to R-½ which was comparable to various other subdivisions along 2300 West. The half-acre density would provide the owner with the ability to develop to a max density of ½ acre per lot, but gave them additional flexibility for larger lots as well. The property was adjacent to R-5, R-½, and Cedar City's higher density. It was within Tier II, but not in Enoch or Cedar City's Annexation Declaration Boundary. Services available were: Water – CICWCD, Sewer – Central Sewer with Cedar City, and other utility services in the area.

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

Carol Barker, a resident of Iron County, noted that the commissioners approved a zone change for the other side of this road at the last commission meeting. She stated that she found it ironic that during the commission reports there was talk about local farmers and feeding people. Although this would be approved, 2300 W would become house, on house, on house. It would be nice to keep it zoned R-5 so people could have home gardens and more people could show up at farmers' markets. She stated that "you're going to do what you're going to do, because that's what you do!" Maybe consider keeping it zoned R-5 and not have multiple units because the roads were not improving. What was Cedar City doing about their sewer system? How many times do sewers back up because of monsoon rains? The water treatment plant clearly cannot handle that. These were all things that needed to be considered. But, you will do what you are going to do. Paul Cozzens replied that he was on the water treatment plant board and even with all the increased growth, the total volume into the treatment plant had not increased. Carol stated please "pump the breaks for once."

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

Reed Erickson noted that, in response to the comment, that when the ICPC looked at prospects for property they consider what were the possible uses of that zoning, what services were available, and what could be provided. It was the evaluation of the planning commission as they work through the process. It was a difficult challenge to evaluate each project and when to "pump the breaks." Property rights, eligibility for projects, and the need for more affordable housing that came with higher density were all taken into consideration. Affordable housing did not come with 5-acre lots. He reported that there was good access and available services on 2300 W that was not available everywhere. That was why developers were choosing these types of corridors where these types of services were available. Paul Cozzens reported that the current Utah Governor had told the Home Builders Association that they will build, and counties will approve smaller lots for affordable housing.

Reed Erickson reported that the Iron County Planning Commission (ICPC) had reviewed the Evaluation Considerations for Rezoning and recommended approval of the zone change.

Marilyn Wood made a motion to approve a proposed zone change from Residential 5 acres (R-5) to Residential ½ acre (R-½) regarding APNs: D-618, D-620 & D-620-1 as presented by Reed Erickson. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

**PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF A PROPOSED
IRON COUNTY CODE AMENDMENT, ORDINANCE 2024-3 MODIFYING SECTION
17.42.040 – AMENDING CRITERIA FOR APPROVING DEVELOPMENT
AGREEMENTS, AND PROVIDING FOR AN EFFECTIVE DATE**

Reed Erickson, Iron County Planner, explained that this Ordinance was the result of new legislation regarding development agreements. Iron County Code Chapter 17.42 –Development Agreements Section A (4), reads, “The proposed development to which the development agreement pertains is in conformity with the Iron County general plan, zoning ordinance, public improvement requirements, construction standards, and all other applicable requirements.” Under this code, a development could not be approved for anything outside the ordinance. Ordinance 2024-3 amended criteria addition (taken from state law) was “...unless the legislative body approves the development agreement in accordance with the same procedures for enacting a land use regulation under Section §17.27a.502 (UCA), including a review and recommendations from the planning commission and a public hearing.” Reed explained the development agreement process.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding a proposed Iron County Code Amendment.

No public comments were offered.

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

Reed Erickson reported that the ICPC recommended approval of the Iron County Code Amendment.

Paul Cozzens made a motion to approve the proposed Iron County Code Amendment, Ordinance 2024-3 as presented by Reed Erickson. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

Cindy Bulloch, a representative from Celeste Maloy’s office, expressed her appreciation for the recognition given to Officer Houser. Cindy reported that Celeste Maloy was involved with the following:

- The Federal Aviation Administration (FAA) reauthorization bill that aimed to improve aviation safety, enhance passengers and airline workers protection, and invest in airport and air travel infrastructure;
- Co-Sponsored a bill that was introduced by Congressman Stewart to prohibit an assisted suicide kit available online;
- Avian flu had been found in dairy cattle. None had been detected in Utah. The Center for Disease Control (CDC) and the United States Department of Agriculture (USDA) had set new regulations that only lactating cow that cross state borders and were not going to slaughter needed to be tested;
- Electronic tagging of livestock had been implemented, but there was a move to stop funding;
- Watching the Solar Rule. Public comments were still open. This would take a lot of the corridor in Western Iron County. This rule would take this out of multiuse and into a specific use;
- New Public Lands Rule;
- Phase 2 of the National Environmental Policy Act (NEPA),
- Old growth limited logging might affect Pinon and Juniper: and
- Appropriations: 1% of the top line of the budget, was open use. Congresswomen Maloy fighting to keep some of those funds in Utah.

Ken Carpenter, Iron County Sheriff, reported that a previous comment was made that he would be resigning from his office was untrue. He was planning on running again for Iron County Sheriff and had no intention of resigning.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2024-4, CREATING AND ESTABLISHING NEW HARMONY RANCH SPECIAL SERVICE DISTRICT (SSD) WITHIN IRON COUNTY Applicant: New Harmony Ranch

Reed Erickson, Iron County Planner, explained that the commission had initiated, by Resolution 2024-1, which was approved and passed on January 22nd, the statutory process to create a special service district within the boundary of the New Harmony Ranch, and gave public notice and held a public hearing on March 11, 2024 to hear and consider each interested person who desired to be heard. It had been determined that the public health, convenience, and necessity require the establishment of a SSD to be named New Harmony Ranch SSD to provide sewer and transportation services within the boundary. Reed reported that all the property, residents, and inhabitants within the boundary of the SSD would be benefited by the establishment of the SSD to provide sewer and transportation services, which services shall be paid for only by the property owners within the boundary of the district. He explained that there were three components to this SSD:

- Signed copy of the approved final Resolution;
- Submit packet electronically to the lieutenant governor's office for action and approval and an issuance of a certificate of incorporation;
- Submit documents to the Iron County Recorder. After the issuance of a certificate of creation, the Iron County Commission would appoint a 3 member SSD board.

Jon Whittaker asked if this would create a new taxing area. Reed replied that the lieutenant governor's office would create it. Jon asked whether the plat shown was the final plat for SSD. Reed replied that if it was approved it would create the SSD. Jon asked how far-reaching the SSD could be. Reed replied that it was for sewer and transportation only. Jon asked whether the SSD could tax for roads. Reed noted that only when budgeted and if it were approved by the board and only within the development.

Laura Barnowski, a resident of New Harmony, noted that she had become very involved with this proposed development. She had only heard discussion regarding the sewer only and just heard about the transportation. What would that entail? Reed Erickson replied that the original resolution that was approved included both sewer and transportation. It would be for developing private roads only. The SSD or an HOA were options for the roads to be maintained. Marilyn Wood asked if this included the deceleration lane. Reed replied that was outside the SSD and was a part of Washington County.

Marilyn Wood made a motion to approve Resolution 2024-4, creating and establishing New Harmony Ranch SSD within Iron County as presented by Reed Erickson. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A FUNDING REQUEST FOR THE OPERATIONS OF THE IRON COUNTY RURAL PLANNING ORGANIZATION (ICRPO) AS RECOMMENDED BY RPO-RTEC AND IRON COUNTY COUNCIL OF GOVERNMENTS

Reed Erickson, Iron County Planner, reported that this was an annual request to provide continued funding for the operations of the Iron County Rural Planning Organization (ICRPO) for FY2025. Reed noted that the Five County Association of Governments (AOG) respectively requested a continuation of the current contract with funding set at \$50K for FY2025. These funds usually came from the planning portion of the Iron County Local Corridor Preservation Funds collected through vehicle registration fees.

Paul Cozzens made a motion to approve the funding request for the operations of the ICRPO as recommended and presented. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION FOR ADOPTION OF RESOLUTION 2024-5, AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$95M AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2024, AND RELATED MATTERS

Marcus Keller, Crews & Associates, explained that the Iron County Commission was taking under consideration up to and not to exceed limitations. The parameter sets several items and the first was the parameter of up to \$95M, with a maximum interest rate of up to 6.5%, for a period not to exceed 40 years, and at a discount of 98%. Marcus explained that the parameters resolution today would allow Iron County to move forward. There would be another Public Hearing on June 10th for discussion and public feedback. The Series 2024 Bonds would be issued for the purpose of financing the construction, furnishing, and equipping of a new jail and related improvements, and funding any debt service reserve fund, as required, and paying costs of issuance of the Series 2024 Bond.

Michael Bleak expressed his appreciation to Marcus Keller for keeping the commissioners informed with the process and all the effort he had given to Iron County. Marcus

Tom Coverick, Managing Director for KeyBank Capital Markets Inc., explained the Sales Tax Revenue Bonds and how they worked. Tom gave a brief overview of the municipal bonding market.

Marilyn Wood made a motion to adopt Resolution 2024-4 as presented by Marcus Keller. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A LOCAL CONSENT FOR BAR, FRATERNAL, EQUITY LIQUOR LICENSE OF THE BUSINESS OF BOWMAN'S COWBOY KITCHEN AT 3052 IRON SPRINGS ROAD, CEDAR CITY, UT

Weston Jessop, Bowman's Cowboy Kitchen, reported that he had purchased Bowman's Cowboy Kitchen. Bowman's Cowboy Kitchen previously had an existing Liquor License, but the State required a new license with new ownership. Weston noted that the restaurant would remain the same, but they were investigating ways to be more efficient and handle more customers.

Paul Cozzens made a motion to approve a Local Consent for Bar, Fraternal, Equity Liquor License of the business of Bowman's Cowboy Kitchen as presented. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2024-6, A RESOLUTION SUPPORTING THE AMENDMENT OF PROPERTY INTO THE IRON SPRINGS INLAND PORT PROJECT AREA IN IRON COUNTY

Danny Stewart, Inland Port Authority, explained that the Iron Springs Inland Port Project Area was created by the Inland Port Authority on April 4, 2023. Iron County desired to include additional property in the Project Area, which fits the economic development vision by encouraging the retention and expansion of existing companies and the recruitment of new companies to create employment opportunities for Iron County residents.

Marilyn Wood made a motion to approve Resolution 2024-6, a resolution supporting the Amendment of property into the Iron Springs Inland Port Project Area in Iron County. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PRESENTATION ABOUT THE 2023 SHARP SURVEY DATA HIGHLIGHTS FOR THE IRON DISTRICT

Logan Reid, Southwest Behavioral Health Center-Prevention & Education Services Director, explained that the School Health and Risk Prevention (Sharp) survey surveyed students in grades 6, 8, 10, and 12. The results across seven categories were presented: substance abuse, antisocial behavior, community and school climate and safety, social and emotional health, substance-related indicators, physical health and safety, and risk and protective factors. State-identified priority substance use included Alcohol, marijuana, cigarettes, RX drugs, inhalants and e-cigarettes. Logan reported that 1,476 students from grades 6, 8, 10, and 12 took part in the

survey and the results were evaluated. He noted that most students were worried about their fellow classmates committing suicide and substance abuse. In 2007, the identified priority of substance use in Iron County were, in order: alcohol, RX drugs, cigarettes, marijuana, and inhalants. In 2023 those priorities were e-cigarettes, alcohol, marijuana, inhalants, RX drugs, and cigarettes. Use rates were going down with efforts made with prevention. Logan reported that there had been a link between substance abuse and how much time families spent together. A lower amount of family time resulted in a higher substance abuse rates. The amount of screen time after school made a difference also. Suicide rates were higher, or thoughts of committing suicide, when screen time was high. Logan gave other statistics, and closed by expressing just how great the youth of Iron County are.

CONSIDERATION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN IRON COUNTY AND THE BUREAU OF LAND MANAGEMENT (BLM) TO RESTORE FLOOD DAMAGED RECREATION TRAILS IN THE STATELINE AREA

Mike Worthen, Iron County Natural Resource Management Specialist, explained that the purpose of the Memorandum of Understanding (MOU) was to formalize the restoration of Revised Statute (RS) 2477 roads used as recreational trails in the Hamblin Valley area after the 2022 and 2023 floods, specifically the Johnny Canyon Road (Ofer Basin), Stateline Road, Pine Creek Spur and Road, Rice Canyon Road, and Mormon Gulch Road. Mike reported that this agreement was for roads located on BLM lands. He had work with FEMA in Hamblin Valley. The funding required this agreement. George Colson had been instrumental in working with FEMA. Mike also thanked Representatives Maloy and Stewart for helping move this funding forward. Mike expressed the importance of keeping said roads open.

Paul Cozzens made a motion to approve an MOU between Iron County and the BLM to restore flood-damaged recreation trails in the Stateline area as explained. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

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

Michael Bleak, Iron County Commission Chair, declared the convening of the ICCD&RA.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE BERYL SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Beryl Solar Project Area for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE BUCKHORN SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Buckhorn Solar Project Area for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE CEDAR VALLEY SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Cedar Valley Solar Project Areas for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE FIDDLER'S CANYON SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Fiddler's Canyon Solar Project Area for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE ENTERPRISE SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Enterprise Solar Project Area for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE GRANITE MOUNTAIN SOLAR EAST AND GRANITE MOUNTAIN SOLAR WEST COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Granite Mountain Solar East and Granite Mountain Solar West Project Areas for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE IRON SPRINGS SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Iron Springs Solar Project Area for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE COVE MOUNTAIN 1 AND COVE MOUNTAIN 2 SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Cove Mountain 1 and Cove Mountain 2 Solar Project Areas for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE RED HILLS RENEWABLES COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Red Hills Renewables Solar Project Area for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE SUN EDISON PHASE 1, 2, AND 3 SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Sun Edison Phase 1, 2, and 3 Solar Project Areas for the year 2022. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR THE THREE PEAKS SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) FOR THE 2023 YEAR

Marilyn Wood made a motion to approve a Tax Increment Reimbursement for the Three Peaks Solar Project Area for the year 2022. 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.

PRESENTATION TO HELP IRON COUNTY AND THE COMMISSION TO UNDERSTAND THE NEED FOR THE ASSESSORS OFFICE TO ADOPT STATISTICAL MODELING FOR VALUATIONS IN IRON COUNTY

Karsten Reed, Iron County Assessor, explained that this report was to explain the need and efforts to move the Assessor's Office to statistical modeling to help with valuations for tax purposes. Iron County was the last Class 3 (40,000 to 175,000 population) county in Utah to adopt statistical modeling. This change would represent a monumental shift in process. Karsten wanted the public and the commissioners to know what to expect moving forward. He introduced two of his deputies, Joseph Peterson and Kevin Swenson, who each had backgrounds and education in statistics.

Kevin Swenson explained that this use of statistics would be based on modeling. This practice had been in place for some time, but Iron County was now beginning to use it. Other counties' experience was fewer valuation appeals over time due to more accurate assessed values. Statistical modeling would adapt more quickly to economic changes in the real estate market. Furthermore, the mass-appraising done in the Assessor's Office would be more equitable with stronger support of assessed values. Kevin explained that statistical modeling involves: business understanding, data understanding, data preparation, modeling, evaluation, and deployment. Statistical modeling requires constant evaluation and input of data to remain current and accurate. Jon Whittaker asked about how the system would be used in regard to the annual lien date of January 1st. Kevin replied that once operational, the statistical modeling would be able to output values for any requested date. There was also an advantage that statistical modeling would not be affected by sales after January 1, but before the tax roll. Jon Whittaker also asked whether the system would be used for all properties, or mainly residential. Kevin replied that it would just be residential at first, but they hoped to eventually include commercial properties as well. Joseph Peterson explained that the models would be built on several years of data to provide a baseline. With each data point and each year of data, the statistical model would be ever more accurate. Joseph noted that the first year of implementation often results in a spike of valuation appeals, which is difficult but would also provide greater accuracy to the model. One critical advantage of statistical modeling would be that Iron County would be in greater compliance with state requirements of valuation, and that appraised values would be within plus or minus 5% of actual value. The plan was to use the "R Project" or "SVS" for the statistical modeling software, both of which were open-source and free. Paul Cozzens asked about the effect the State of Utah Assessing and Collecting levee being locked for 5 years, and of the recent tax shift away from Centrally Assessed and Commercial properties to Residential. This shift of tax burden had been highlighted during the tax discussions about funding a new jail. Karsten Reed replied that the State Assessing and Collecting levee being locked, and therefore artificially high, along with the shift away from Centrally Assessed and Commercial properties to Residential resulted in a higher tax burden for residential taxpayers. Karsten also discussed the challenges of some of the appraisals moving from the Utah State Tax Commission (USTC) to county assessors, which was an additional burden without additional resources. Karsten concluded by expressing appreciation for the hard-working employees in his office, and that he was glad that the statistical modeling software would not be a financial burden to Iron County.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Brandy Mayo as a Full-Time Legal Assistant for the Attorney's Office, effective May 13th. This was a backfill of a vacant position; the new hire of Martin Olaya as a Full-Time Sign Technician for the Engineer's Department, effective April 29th. This was a backfill of a vacant position; the new hire of Dream Weaver as a Full-Time Corrections Deputy 1, effective June 9th. This was a backfill of a vacant position.

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

Jennifer Bradbury presented the Utah Retirement System (URS) anticipated changes. Jennifer explained that the changes were in reference to the FY 2024 changes to the URS employee contributions. Last year the URS had been very transparent about the anticipated changes to employee contributions, which was helpful for HR to be able to factor options into the 2024 calendar year budgets. Jennifer reported that, for historical reference, the Tier 2 Public Safety benefits, back in 2020, URS changed the multiplier from 1.5% to 2% service credit earned after July 1, 2020 which increased the employer funding from 12% to 14% of pay. Because of this change, Public Safety employees were required to contribute 2.27% of their pay to fund the pension benefit beginning July 1, 2020. Iron County elected to contribute the employee portion at that time in order to retain our excellent staff. In 2022, an additional .32% increase was added and covered by Iron County as well.

Tier 2 Public Safety Employee benefit: In 2024, the increase to the Tier 2 Public Safety employee portion was finalized at 2.14% by URS. As mentioned previously, HR was aware of the increase and was able to factor that additional expense into the 2024 budget. Jennifer recommended approval to cover all Tier 2 Public Safety Employee portion additions, with no additional cost to the budget, of 2.14%, effective June 23, 2024.

Tier 2 Non-Public Safety Employees: Under state law, public sector employers were required to pay contributions equal to 10% of a member's salary. If the contribution rate exceeded 10%, the member of the hybrid option was responsible for paying the contributions for the amount over the 10% threshold. Jennifer reported that the FY 2024 contribution rate was finalized by URS at 10.70%. She explained that this meant employees were required to cover .70%. It was brought to legislature last year to allow employers to cover the increase of non-public safety additions but was not heard or approved during the legislative session. Employers were allowed to give a raise to offset the additional increase as long as the contribution was covered by the employee. As mentioned previously, HR was aware of the increase and was able to factor that additional increase into the budget. Jennifer proposed to allow a transfer of the additional funding from each department's benefits line item to the salary line item in order to increase the step-in-grade .70% to offset that increase for all non-public safety employees effective June 23, 2024.

Marilyn Wood made a motion to approve the URS mandated budget changes as presented and proposed 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 presented.

CLOSED SESSION PURSUANT TO 52-4-205 (1) (A) “DISCUSSION OF THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL”

Paul Cozzens made a motion to move into a closed session pursuant to UCA §52-4-205 (1) (A) – “Discussion of the character, professional competence, or physical or mental health of an individual.” 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 (1) (A) for discussion regarding the character, professional competence, or physical or mental health of an individual.

 (Pro Tem)
Signed: ~~Michael Bleak, Chairman~~
Paul Cozzens, Chair Pro Tempore


Attest: Jonathan Whittaker, County Clerk

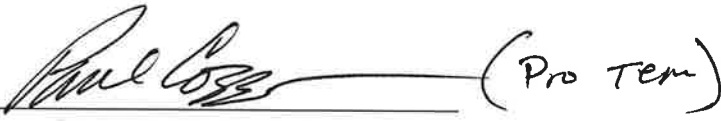



END OF CLOSED SESSION

Michael Bleak, Iron County Commission Chair, declared the closed session ended and the return to the open Iron County Commission meeting.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.

 (Pro Tem)
Signed: ~~Michael Bleak, Chair~~
Paul Cozzens, Chair Pro Tempore


Attest: Jonathan T. Whittaker, County Clerk

