

IRON COUNTY COMMISSION MEETING
JUNE 10, 2024

Minutes of the Special Iron County Commission meeting convened at 9:00 a.m. June 10, 2024 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

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

Also present:

Karsten Reed	County Assessor
Lucas Little	County Auditor
Sam Woodall	County Deputy Attorney
Richard Wilson	County Chief Engineer
George Colson	County Emergency Management
Ryan Riddle	County Fire Warden
Wade Adams	County Fleet
Jennifer Bradbury	County HR
Mike Worthen	County Natural Resource
Bruce Anderson	County Public Works
Reed Erickson	County Planner
Nicole Rosenberg	County Treasurer
Amber Hatch	County Weeds

Others in Attendance:

Janelle Adams	Keshia Anderson	Hayden Ballard
Carol Barker	Josh Benson	Amber Berry
Darlene Brinkerhoff	Cindy Bulloch	David Busk
Reyes Carballo	Mike Clark	Nancy Clark
Maile Wilson Edwards	Rigoberto Favela	Cammie Gentry
Mollie Halterman	Caroline Howe	Craig Jensen
Craig Jones	Sam Jones	Chris McCormick
Jordan Merrill	Andrea Nelson	Jennifer Nelson
Paul Nelson	Eric Packer	Tyce Palmer
Crystal Rockwood	Richard Rockwood	Paul Roelandt
Ellen Sorensen	Scott Stubbs	Bruce Washburn
Brett Webster	Josh Webster	Sandy Webster
Kardis Woods	Max Woods	Sheri Woods

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INVOCATION

An invocation was offered by Chris McCormick.

PLEDGE OF ALLEGIANCE

Those assembled were led in the Pledge of Allegiance by George Colson.

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Special Iron County Commission meeting held on June 6, 2024. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Absent; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Marilyn Wood made a motion to approve Claims for Payment from May 28, 2024, to June 9, 2024. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Absent; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Lucas Little, Iron County Auditor, reported that the Kimball & Roberts audit was performed and they were completing the financial statements that were due at the end of June. When those were finished, Kimball & Roberts would report the results to the commissioners in July. Lucas noted that the 2023 reports were completed and reported on a few specific fund balances.

- **General Fund**
 - From 2022 to 2023 the fund balance increased approximately \$600K. The end of the year balance was \$7,059,542.13.

- Included in the General Fund were reserved accounts for Public Safety Building Reserve, Opioid Settlement Reserves, and Economic Development. Commissioner Wood asked if any of the opioid funds had been used. Luke replied that were not and he had spoken with Chad Dotson, Iron County Attorney, about how and where it could be spent. Marilyn Wood noted that the law was very specific about how the use of opioid settlement funds. Luke reported that it was specified and everything had to be tracked from person to person. Jon Whittaker, Iron County Clerk, suggested that one way the funds could be spent was some of the Outreach programs that 5 County did in the schools. Marilyn reported that the funds were specific to persons who were personally affected by opioid use. She had thought of the 5 County program and the 4-H program, but they were not eligible. Sam Woodall, Iron County Deputy Attorney, reported that there was a specific board that was set up to develop a plan for the funds. The board had met once and they would meet again, but nothing had been planned. Funds would continue to accrue for 18 years.
- **Municipal Services Fund**
 - The Municipal Fund included the Sheriff's Department, Search & Rescue, and Fire Department for coverage of those outside city limits.
 - There was a decrease of approximately \$750K which was lowest it had been since 2018. The decrease could be a result of inflation for the cost of equipment, radios, etc. Luke noted that Sheriff Carpenter was requesting multiple employees for 2025 which would come out of this fund. A tax increase would have to be considered if those additional employees were approved. This would be discussed during budget meetings.
- **Jail Fund**
 - At the end of 2023 there was \$16,606,081.41 set aside for the new jail. There had been some funds used this year for the architect. The Jail Fund continued to earn beneficial interest. Luke reported that he had been working with Shalon Shaver, Iron County Corrections Jail Commander, and Ranon Hulet, Iron County Corrections Office Manager, with an application to request an increase of the federal inmate rate that was received for housing the federal inmates. They filled out the application to request a higher rate per day. He was still waiting for the results of the application. Commissioner Wood asked if there was an application to the State of Utah. Luke replied that the state rate was set by statute and was the same rate for each county. He noted that the application was submitted approximately eight months ago by a paper application. The application system was changed to an online system and there was a lot of information changed so they had to resubmit the application. Commissioner Bleak noted that Iron County had been successful with the legislature and lobbying for those rate increases on the state side.

Lucas reported that this was the time of the year that the Auditor's Office began working on setting tax rates. He explained that the Assessor's Office sets the value of property in Iron County as of January 1st. The assessor sends the report to the state for approval, then the state sends the auditor the values. The Assessor's Office began working toward finishing that up last week and moving those values into their software system. Luke hoped to have the information from the assessor's office this week so the office staff could begin working on setting the tax rates. When he completed the tax rates the report would be sent to each entity that had a tax rate. The entity could either certify the auditor's rate or pursue Truth in Taxation to increase the rate. Lucas noted that he would meet with the entities once he had certified the tax rate, then the entities finished it up on their end. Lucas presented an example explaining how property taxes work. Notices would be sent out mid-July and Lucas encouraged everyone to pay attention to those notices.

Marilyn Wood, Iron County Commissioner, reported that after the May 27th commission meeting, she traveled to Brian Head to witness the approval of Aspen Meadows which was a major terrain extension. There would be 850 new acres of skiable terrain, 1800 acres for a 2K ski in/ski out community. This addition would make Brian Head the 7th largest

resort in the state. On June 5th there was a Zoom call with the Public Lands Council. The call included many representatives, commissioners, and the Public Lands Policy Coordination Office (PLPCO) from the governor's office regarding the new conservation rule. The new conservation rule allowed special interest groups to come in and buy up conservation on ranchers allotments. This would eventually kick the ranchers off the property. If the Biden administration continued moving forward with plans regarding public lands no one would have access to public lands. Some of the public lands had already been closed in the Moab area. Losing access to public lands would be devastating for the ranching community. She noted that the Bureau of Land Management (BLM) and the Forest Service would have an open comment period. Marilyn reported that on June 7th she and Commissioner Bleak attended the ribbon cutting for Savage Cedar City Transload facility. The Savage Company was thrilled to be in Iron County. There were 74 acres with the capacity to have 70 rail car spots with Union Pacific access. Dry and liquid bulk would be able to be stored on the property and Savage would bring many job opportunities to Iron County. Marilyn reported that Commissioner Bleak had invested many hours with the Inland Port Authority as one of the departments he was over as a commissioner and was one of the speakers at the ribbon cutting. Iron County was very lucky to have the rail system. She attended the Utah Summer Games (USG) opening ceremonies which was held on the evening of June 7th. County music star, Morgan Evans, was the main performer and gave a great performance. The USG honored Eric Schmutz and Doug Padilla.

Michael Bleak, Iron County Commissioner, reported that prior to COVID-19, the Tourism and Hotel & Tax boards were considering investing in convention space in Iron County. Iron County missed out on a lot of revenue because of a lack of space to hold conventions. There had been many requests to hold conventions in Cedar City which had to be turned down. In 2019, there was a study of the feasibility of an event place in Iron County which yielded a very positive report. There had been some updates to that study and the tourism board had elected to move forward with a Convention Center project which was very preliminary. The board members were looking at feasibility of property options. There was money to fund the project in 2019 and had been used for some preliminary designs and preliminary engineering. There were funds set aside for the purchase of property for the center. Mike reported requests for conventions continued and increased. St. George was going to double the size of the Dixie Center because of the high demand. He noted that he and Jennifer Bradbury, Iron County HR Director, met with representatives from the Utah Sheriff's Association (USA) to understand legislation that might affect Iron County regarding school security. Mike reported that he was on the interview panel for a new Council on Aging (COA) Director. Stephanie Rainey was offered the position and she had accepted. Stephanie was previously working for the Children's Justice Center (CJC) and he had no concerns with Stephanie being the COA Director. Mike noted that he was sick the previous week and had conducted meetings via phone. He met with Sheriff Carpenter, Luke Little, Jennifer Bradbury, and representatives from the Iron County School District (ICSD) to discuss new legislation that required a school security officer. This security officer would oversee school security in Iron County Schools from the law enforcement perspective. He noted that the ICSD had a Director of School Security who was hired about a year ago. On that same evening, he was able to address the Cedar City Council in support of the Southern Utah University (SUU) Aviation program. SUU Aviation gave a presentation about the direction they were going and what they had accomplished. He reported that the Cedar City Council asked him to come speak about the Economic Development and Emergency Management impact has had from SUU Aviation. SUU Aviation would be reporting their progress at commission meetings twice a year. Mike met with the American Red Cross Regional Director to build relationships. As Commissioner Wood reported, the Utah Summer Games had begun. The USG had always been a wonderful event and it was beginning to improve once again. The new Executive Director, Jonathan Oglesby, was doing a great job. Mike noted that Jon reported that USG expected a 10 to 15% increase in athletes participating in some events this year, but there was a 30-40% increase in other events. Commissioner Bleak reported that he also attended the Opening Ceremonies which was well attended and was a great show. The USG was a great economic driver for Iron County. A portion of USG funding comes from the Iron County

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Restaurant tax and the Cedar City/Brian Head Tourism Bureau. He explained that the Tourism Board made sure they were inserted into the events to make sure the money was being spent well and the contributions given were beneficial to Iron County. It was nice to see a real resurgence of the USG.

Marilyn Wood reported that the Road Department was chip-sealing 7700 W. The Road Department was on track with roadwork projects. Marilyn noted that there continued to be issues with vandalism at the Iron County Fairgrounds and it was very disheartening. The parking lot was being damaged by someone going in and flipping didoes in the gravel. Someone also damaged the announcer's booth door when they kicked it in, and there were checks stolen out of the office in the fair building. Checks were collected for stall rental and RV rentals with their horses. Marilyn expressed sadness at the vandalism. The Parowan Police Department were doing their best to investigate the vandalism, but they could not be there all of the time. She asked that if someone was driving by and saw anything suspicious that they please call the police. Marilyn reported that the outside of the fair building was getting a makeover.

Commissioner Bleak excused Commissioner Cozzens from today's meeting.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED IRON COUNTY CODE AMENDMENT, ORDINANCE 2024-5 –REGARDING IRON COUNTY LIVESTOCK TRAILS. THIS ORDINANCE WILL BE INCLUDED IN IRON COUNTY CODE §17.30, AS §17.30.090; AND PROVIDING FOR AN EFFECTIVE DATE

Commissioner Bleak explained that the Iron County Planning Commission (ICPC) had tabled the approval of the Ordinance amendment for further discussion. Mike noted that the ordinance amendment had to be approved before the Iron County Commission could take action on it. No action would be taken on the ordinance amendment today, but the Public Hearing and discussion would still be held.

Reed Erickson, Iron County Planner, reported that this item was brought before the ICPC at the June 6th meeting to consider an ordinance amendment. Sam Woodall, Iron County Deputy Attorney, wrote the ordinance amendment. This had been under discussion for some time as to why Iron County needed an ordinance that designated a livestock trail. Reed noted that there was a Livestock Trail map in the general plan and in Iron County Maps for a long time, and on the Iron County website, but there was not an ordinance in the language that addressed what the trails meant, how they work, and what they were for. He explained that there had been a new map that had been considered and this ordinance language was proposed to simply solidify the need for the livestock trails, the purpose of the trails, and to identify what those trails would be. Reed reported that as the ICPC discussed this, one or two ICPC staff members expressed concern with all of the trails that were identified on the new map as compared to the old map. He noted that the old map that was in the general plan did not have nearly as many designated trails on it. They also expressed some concern with the language in the ordinance that was considered all "historic" trails. This discussion was unanticipated, but was a healthy discussion regarding using correct language. There was concern about how broad the definition was of the Livestock Trail specifically: "Additionally, any paths, trails, or roads historically used for livestock that are maintained as public by use or by public easement or right of way throughout Iron County are hereby designated as livestock trails for the movement of livestock, regardless of whether they are published on the official Iron County Livestock Trails Map." Ordinance 2024-5:

§17.30.090 – Designated Livestock Trails:

- All paths, trails, including asphalt, gravel, or dirt roads used as public highways that are noted and published on the official Iron County Livestock Trails Map are designated as livestock trails for the movement of livestock. Additionally, any paths, trails, or roads historically used for livestock that are maintained as public by use or by public easement or right of way throughout Iron County are hereby designated as livestock trails for the movement of livestock, regardless of whether they are published on the official Iron County Livestock Trails Map. Owners of

livestock and their accompanying livestock are authorized to cross federal, state, municipal or other roads to access designated livestock trails.

Reed reported that the ICPC realized that there was more to be discussed and that it was an important issue and tabled it for further discussion.

Bruce Anderson, Iron County Public Works Director, reported that he and Commissioner Wood had discussed having this ordinance in place. He understood that the language was broad, but that was why they identified what was there. Bruce noted that the livestock community felt that this was an ongoing issue with the livestock roads throughout Cedar City and Iron County. The section was designed to protect existing paths. It was becoming increasingly difficult to justify the livestock trail rights-of-way. Bruce noted that he reviewed the map with the livestock people, especially the dirt roads and places that they were not sure about, and they approved the map. He and Kendal Allen, Iron County GIS Coordinator cleaned up the map. There was additional input from the livestock folks from around Iron County and they now felt it was a good, clean map. Bruce noted that anything on the west side of the desert that was just dirt and gravel was left to use because of the low impact of housing going up there. He explained that the traditional livestock trails were marked on the map. This was to show ways of getting in and coming from, and it is not a grazing right. Bruce explained that Iron County had tunnels, over passes, designated rights-of-way, and Lund Hwy. He noted that the last time he pushed sheep down Lund Hwy it was quite scary. People yelled at him and used unmentionable language and gestures. Bruce expressed that something needed to get out so people knew that the ranchers had the right to the roads to move their livestock up and down. He explained that many of the trails go up on the Forest Service land and there were issues with the Forest Service not maintaining their trails. The trail going from Little Creek to Panguitch Lake was critical infrastructure if you were a cattleman or sheep herder. If they had to go around, it turned a one-hour day into a five-hour day. There were many places where livestock crossed under I-15 and it was important that the Utah Department of Transportation (UDOT) recognized that these were livestock trails. Marilyn Wood gave a good example of why the livestock trails were important for Iron County. While I-15 was being built, a livestock trail was made under I-15 on Lee Hulet's land that split his property. A large culvert was placed there which allowed him to ride through with a truck/horse and livestock. She noted that during discussions regarding widening I-15 on the south side of Cedar City it was suggested that the culvert be taken out. She told them that it had to stay. They looked for documentation and none was found. Several ranchers in the Kanarrville area used that covert many times. Because the livestock trail was on the map, they did not take it out. Ranchers were slowly being pushed out and it was very important that Iron County have those historic rights.

Kendal Allen, Iron County GIS, reported that the map could be found on the Iron County Website, www.ironcounty.net under GIS Maps, then interactive maps under zoning if anyone wanted to look at it.

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding amendments to Iron County Ordinance 2024-5.

Scott Stubbs, Iron County Farm Bureau President, noted that he was a 5th generation rancher. His family had run livestock in Iron County since the 1800's. Since that time, they had traveled all the roads and trails across the valley. They were now running into issues because people were complaining about the livestock being in the way and blocking the road. He would like people to understand that they had the right to use the roads to move their livestock, and were willing to work with people and to get along with them. Agriculture was not trying to destroy America by any means, they were trying to feed them. Scott reported that the Farm Bureau encouraged the commissioners to approve this Livestock Ordinance.

Commissioner Bleak reported that he had the opportunity to talk to the Cedar City Council about the SUU Aviation program. SUU Aviation presented the economic impact and what they do for Iron County. There were some in attendance that better understood the SUU Aviation program and said they would quit complaining when one of the helicopters fly over. The same message needed to be out about understanding of moving of livestock.

Reyes Carballo, Dry Lakes Ranch, asked if the trails were new trails or existing trails. Marilyn replied that trails that were being used over the years and were not included on the older map, were put on the new map. She asked Reyes if he had trails that were not included on the new map. Reyes replied he wanted some of them taken off. This was a good plan for the livestock people. He asked that when this plan was being created whether they also interviewed all the landowners that that would be affected. Marilyn Wood replied that Bruce Anderson had gone around trying to get all of the different livestock people to see where they were moving their livestock. Reyes noted that he owned the Dry Lakes Ranch and Iron County had the Right-of-Way for approximately 15 feet. He maintained the ranch and worked very hard to keep it nice. Now a livestock rancher would come through there. He explained that he was ok with them coming through, but it needed to be at the right time. The livestock would not need 15 feet, but 200 to 500 feet and that would destroy what he had tried so hard to maintain. Marilyn Wood replied that she did not know if there would be a change to do something different. It was the historic times that they had been taken and if livestock had been hauled on the mountain they would probably still haul them over. Reyes reported that the road was built in the late 1900's and livestock had never crossed through his property. The trail used was Hwy 143 to Brian Head. He asked that ranchers be respectful and not come up whenever they wanted. Make sure that if they planned to cross his property he needed to be aware so he could plan accordingly.

Matt Wood, Iron County rancher, noted that somehow there needed to be a safeguard put in the ordinance so the trails would not become dirt bike and ATV racetracks. He had cattle that were hit by ATV riders.

Paul Nelson, a resident of Iron County, reported that he brought his sheep down Main Street for the Heritage Festival and asked if Cedar City Main Street was listed as a livestock trail. Reed Erickson replied that it was. He reported that they move their sheep down to the Love's Truck stop, through Charles Esplin's property (with permission), and come out underneath the underpass by the farm, and Old Hwy 91.

Hayden Ballard, Attorney with the Utah Public Lands Policy Coordinating Office (PLPCO), noted that he was here to lend his overarching support for the ordinance and the effort it had taken to designate all the miles and miles of trails and roads. Hayden explained that one of the biggest task at PLPCO was to ensure access to our federal and state lands for the public at large. To be able to accomplish that a lot of their litigation surrounded the RS-2477 statute that was passed in 1872 which stated that the titles of many of the roads were owned by the state and the counties. The federal government refused to acknowledge those titles. He stated that one of the biggest reasons that PLPCO had pushed so hard to ensure that the state and counties had control of those roads was to maintain access. One of the easiest ways to restrict the use of grazing on federal land was to block access to the roads which would destroy the entire industry. Having this ordinance was related because looking down the road, one of the quickest ways to destroy livestock agriculture was to restrict its ability to get where it needed to be. Hayden reported that at times it might seem superfluous to go through a lot of our travel management planning and those types of efforts with the federal government to ensure that those roads were designated. That designation saved our ranchers in the long run 10 to 20 years from now. When someone tried to restrict our industry and access, that designation was the one thing that would "keep our finger in the dyke."

Jon Whittaker stated that he did not know about "fence-out" until he began working for Iron County. He noted that you sometimes see livestock trails and in terms of outreach, how could we educate people on this? Someone replied that the Sheep Parade was a start. Marilyn Wood explained that the fence-out rule largely pertained to open-range lands. If you had private property and do not want animals to come on your property, it was up to that person to fence the animals out. This was becoming a huge issue with so many people moving in that did not understand that this was the way it worked.

Bruce Anderson reported that when someone built a home or does something along a livestock trail they need to fence-out. There had been some people state that they would not put a fence up and if the animals came on their property they came in. He noted that it was part of the Conditional Use Permit (CUP) or building permit which they sign. The education, or

communication, was set up by Reed Erickson. If someone acquired property and there was a livestock trail, they were required to fence-out.

Reed Erickson reported that that rarely a week went by that the office did not get a call or two asking how they could keep the cows off their property. Reed noted that when reviewing subdivisions, the ordinance required a new subdivision to contact those in the livestock industry. There needed to be a discussion about who would be the best person to talk within this particular area to represent where the trails were. When there was a new permit or subdivision application they could have someone respond in the livestock industry about whether there was a trail there. Communication was vital. This map would be very helpful for times when the ICPC was reviewing an application and could pull up the livestock trail map and see what was there. Reed reported that the new subdivision ordinance required new subdivisions to be fenced. This rule could be waived if there were no livestock in the area.

Paul Nelson noted that an explanation of the fence-out rule needed to be given so people understood. Reed Erickson replied that there was an explanation of the fence-out rule, but some do not always listen or read it.

Reyes Carballo asked why there were no biker regulations. Dry lakes had more issues than others and the Brian Head road was now an ATV raceway. There were many accidents on the Dry Lakes road and he helped those injured in the accidents. There needed to be more policing at Dry Lakes. Marilyn Wood replied that she had spoken to the sheriff many times and it was hard to get patrol there because the lack of patrol officers. Reyes stated that the ATV's were out of control. Commissioner Bleak replied that he would talk with the sheriff.

Sandy Webster, President of the Cedar City Livestock Association (CCLA), reported that the CCLA had been involved with the trails, especially through Cedar since its founding. Since the Walmart fiasco, Iron County created an ordinance for Cedar Valley in which developers had to come before the CCLA to sign a letter that they were putting in a subdivision in Cedar Valley. Sandy noted that each time the developer comes in, the CCLA required that they list all Iron County trails and roads that were designated as livestock trails. He did not sign any letter that did not include those trails and roads. It would not matter if they were designated livestock trails, they say that they were not taking the ranchers rights away, but they were taking a right away because there was so much traffic that the ranchers could not use the road. There were too many cars and too many people. Commissioner Wood reported that she had spoken with the sheriff several times. If a rancher needed to trail their livestock on any of the Iron County roads, the Iron County Sheriff officers (ICSO) would help if there was a couple days' notice given. Sandy expressed his appreciation for all the commissioners were doing and that they had the CCLA's support for the ordinance.

Janelle Adams, Lamoreaux Sheep, mentioned that on the previous comment regarding the ICSO showing up, that they had tried several times and no one had shown up. They have had to stop the traffic themselves. Marilyn Wood asked if they had given the Sheriff at least a two day notice. Janelle replied that they had several times.

Craig Jones, a citizen of Cedar Valley, reported that he was a 4th generation livestock rancher in Cedar Valley and his son would be the 5th generation. Craig expressed his appreciation for the commissioners for being sensitive and cooperative about the livestock business. In his experience, even though the ICSO was very limited, they had been very responsive when they had called and they appreciated them. Craig noted that there was another issue along with the trails and that was the livestock going out on the roads. Unfortunately, not all cattle and sheep respect fences. The ICSO had been very helpful to them. Education was going to be the key to this issue. Somehow we need to let the public know that the ranching business had been here far before they moved in. It was still a viable contribution to our economy, and a way of life that many of the ranchers were going to try and preserve until their dying day and hopefully be able to pass on to their children. Traffic was a tremendous challenge to ranchers and they trek whenever they could. Over the years, the he had spent approximately \$10K trailing. He had a fleet of 8 trailers and 8 trucks and used semis in addition to those. We need to preserve these livestock trails. If it snowed on the mountain he could not get livestock off. In the fall he would need 7 semis in a day to come off the mountain. Craig noted that he was

troubled by the impatience of people. The last time he came through Cross Hollows he had the Cedar City Police Department (CCPD) there which somewhat helped but did not solve the problem. He suggested that he might need some large signs on the back of their sheep wagons or trucks that said, "Sheep ahead" or "designated trail." His organization planned to put signs on front and back of their vehicles, so people knew ahead that there were livestock on the trail. Craig reported that he had heard that the overpass near Home Depot would be eliminated. Marilyn Wood replied that there was discussion about taking it out. She spoke with Matt Rhodes about the livestock trails and the concerns livestock ranchers were having. They were talking about taking the flyover out, but they were going to have three options. One option was to go straight through by Walmart. Another option was putting in a hiking and biking trail that might be used. The preliminary work was not completed so she did not know what the actual options were going to be. Matt Rhodes did say that they wanted to collaborate with the livestock people. Craig expressed his appreciation to the commissioners for working on this ordinance.

Nancy Clark, Clark Sheep and Cattle, was concerned with the roads being shut down for bikers and races. If they closed the roads for different events, why the road could not be closed for livestock.

Scott Stubbs, a citizen of Iron County, agreed with previous comments from Nancy Clark. The roads could be closed in sections and detour the traffic. If the cars were not in the way they could push the livestock faster.

Cindy Bulloch, Representative for Celeste Maloy and B&G Livestock, reported that she was a 5th generation livestock rancher. Cindy expressed her appreciation for the commissioner's effort to bring this ordinance about. It does help. She noted that she prayed that they never have to haul livestock off the mountain and was thankful for being able to use trucks to bring livestock off the mountain. It was going to be very helpful to have designated trails so livestock could be trailed off. As far as the fence-out, she noted that it was the same issue for their livestock, but they use Lund Hwy and livestock were getting hit on the road. Cindy reported that the ICSO had been great to work with B&G Livestock, mostly because they get a call from the person who hit the animal and wanting the ranch to pay for their car damage. The ICSO had been good to inform those who hit animals that they were responsible for the animal they hit and for their car damage. Cindy reported that Congresswomen Celeste Maloy was very supportive of the livestock industry. It helped Celeste in Washington D.C. when there was a good local policy and livestock trails that were already established. Cindy closed by expressing thanks on behalf of Representative Maloy for looking out for the livestock industry.

Bruce Anderson noted that there could be sign boards put up if they knew in advance of the livestock coming through an area or road, so residents could prepare for the livestock. People need to be patient when livestock was being moved. Marilyn Wood reported that Iron County had a sign department and signs could be made that could be borrowed by the ranchers. Bruce suggested that the sign could be built to fit in a receiver hitch and could be checked out to use. Someone asked if all the designated roads would have signs placed on them. Bruce replied that most of them already have signs on them. Some drive the roads so much that they forget that the signs were there. They need to be big enough so that people are aware of them.

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

Commissioner Bleak explained that no action could be taken at this time, because it still had to be approved by the ICPC. He expressed his appreciation for all those in attendance.

Matt Lister, resident of Paragonah, was concerned with the speed on the trails and dirt roads. The speed on those roads needed to decrease for the safety of livestock and the dogs that help herd. Maybe temporary signs could be put up when livestock were coming through.

Commissioner Bleak noted that it was always helpful to have these discussions and to see everyone being proactive.

Reed Erickson reported that the next ICPC meeting would be on Tuesday, July 2nd at 5:30 located at 105 N 100 East, Festival Hall. Access the room by entering the 2nd level of the parking structure and connecting skyway at the NW corner.

PUBLIC HEARING, TO RECEIVE INPUT WITH RESPECT TO (A) THE ISSUANCE OF NOT MORE THAN \$95M OF SALES TAX REVENUE BONDS AND (B) ANY POTENTIAL ECONOMIC IMPACT THAT THE PUBLIC INFRASTRUCTURE TO BE FINANCED WITH THE PROCEEDS OF THE SERIES 2024 BONDS MAY HAVE ON THE PRIVATE SECTOR

Marcus Keller, Managing Director, Crews & Associates, Municipal Advisor to Iron County, reported that this process had been a very long, thoughtful, and at times difficult process that the commissioners had gone through to find the best way to finance the new jail. Meetings were held for public comments on multiple occasions. After listening to the public's feedback it seemed that the public was more comfortable with the Sales Tax, which was the direction Iron County was taking. Marcus reported that this was the final step for the bonds. This allowed Iron County to issue up to the \$94M. He explained that in May, the commission adopted a Parameters Resolution setting those parameters. This month, by state law, it was required to hold a public hearing for input and to make sure Iron County understood any additional concerns and issues pertaining to the bonds. Marcus reported that after the public hearing, if it was intended that if the Iron County Commission wanted to move forward then that was the direction that would be taken, as mentioned up to \$95M of bonding capacity for the new jail.

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

No comments were offered.

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

Michael Bleak noted that this project had transformed from public comment and feedback. This was the most difficult issue that this commission had ever tackled, nor has anyone in the area. The one positive thing that the commissioners had done was to listen to public comments during the public hearings and meetings. The way the jail was going to be funded had changed many times and in the end they had come to the best conclusion, and funding mechanism as far as building. The facility that was going to be built would be done with the smallest impact to Iron County taxpayers. They had worked very hard to get to this point. Mike expressed his appreciation to everyone, from our staff, community members that had been engaged from the beginning, and Marcus and his associates at Crews & Associates who had been wonderful helping us through this process.

Marilyn Wood reported that when considering building a facility like the jail, you need to look far into the future which was always difficult. It had to be built correctly and last so this would not have to be brought back and bond again in the middle of a bond, which was difficult to do. There was a lot of input on the location for jail. There was no perfect location and this spot was the best location and was in an area that was not residential. Layton Construction and Babcock Design reported that they had never seen anyone put forth this many public hearings in any of the projects they had done. This process had been very difficult because this was the largest project that Iron County had done. Having to go before the legislature to have the sales tax implemented was also difficult, but it was the best outcome.

Commissioner Bleak reported that this had been very difficult and there had been different groups that wanted to cut the commissioners heads off, and others had yelled and swore at them, but now they were on board. They had been very instrumental in helping find a location and to lobby for legislative change. There had been many partnerships formed with people who started out as adversaries. It had been very inspirational to watch people become involved in the public process. Mike noted that he was excited about the future of this project for many different reasons. He expressed his heartfelt appreciation to everyone, for the input, and to anyone who had been involved with this process. The location of the new jail was approximately 2600 W 600 N in the industrial park located south of the Cedar City Regional Airport.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM AGRICULTURE 20 ACRES (A-20) TO LIGHT INDUSTRIAL (LI) FOR APPROXIMATELY 13.80 ACRES WITHIN LOT 1, SECTION 4, T36S, R16W, SLB&M, IRON COUNTY, UTAH. LOCATED AT APPROXIMATELY 500 E SR 56, BERYL, UTAH, (APN: E-1406-2-1) Applicant: Nathan Harker

Reed Erickson, Iron County Planner, reported the property was located off Hwy 56 Southeast of Beryl Junction. The property was surrounded by Residential 2 (R-2) on the south, Commercial (C) on the north, and Agricultural 20 (A-20) on the east and west. This was a 13.80 acre parcel that the owners, Brandon and Damian Harker, wanted to rezone to Light Industrial (LI). Reed explained that the purpose for LI in Iron County was to be able to do light manufacturing and assembly of goods within buildings and structures. Storage could be outside but it had to be screened. The Industrial (I) zone required that those jobs could be done outside. The owners felt that LI would be the best zone for the use of the property. Part of the challenge that was heard at the ICPC meeting was what type of business this was going to be. The owners could do anything that was allowed in the LI zone, but before they could apply for a building permit the property had to be zoned according to what their interest was. As the ICPC evaluates zoning they look at it as a legislative decision, and what could promote the best interest of the general welfare. There was no specific criteria for a zone change. It was based on input that that best suited the area, what the surrounding land uses were, and the possibilities of uses for that property. Services available: Water-by private well when required, Sewer by septic when required, 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.

Marilyn Wood made a motion to approve a zone change from Agriculture 20 Acres (A-20) to Light Industrial (LI) regarding APN: E-1406-2-1 as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Absent; Marilyn Wood, Aye.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED IRON COUNTY CODE AMENDMENT, ORDINANCE 2024-4 ADOPTING AND/OR MODIFYING SECTION 17.36.135-WATERWISE LANDSCAPING STANDARDS; SECTION 17.84.010-DEFINITIONS; AND CHAPTER 16.40-LANDSCAPING STANDARDS; AND PROVIDING AN EFFECTIVE DATE

Reed Erickson, Iron County Planner, explained that the Iron County Planning Commission (ICPC) held an advertised and noticed public hearing on the proposed Ordinance 2024-4 Amendments to the Zoning and Subdivision Ordinances of Iron County. This ordinance had 2 purposes: 1. To help promote water conservation, and 2. Qualify residents in the unincorporated area to be eligible to participate in the Turf Buyback Program on the state level. Reed noted that this was a state regulatory requirement that for someone to participate in the program and to be eligible to be paid to remove their grass, for which state money was available, there had to be an ordinance in place that included the required criteria.

Section 1. Within **Section 17.36.135 – Water-wise landscaping standard**, a portion of the Iron County Code was amended and additions were as follows:

17.35.135 – Water-wise landscaping standards

A. Water Conservation:

- 1. The following water-efficient landscape standards shall apply to all new residential developments and residential construction:
 - a. The area within the public right-of-way between the curb and gutter and the sidewalk, otherwise known as the park strip, shall not be landscaped with lawn;
 - b. Lawn areas shall not be less than eight feet wide at its narrowest point;

- c. Lawn areas shall not exceed 50% of the total landscaped area for front and side yards. Lawn limitations do not apply to small residential lots with less than 250 square feet of landscaped area.
- 2. Other developments: In new commercial, industrial, institutional, and multifamily development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.

Section 2. Within **Section 17.84.010 – Definitions**, a portion of the Iron County Code was amended and additions were as follows:

- “Active Recreation Area” means a dedicated active play area where irrigated grass is used as the playing surface, such as a sports field designed for public use. Active areas shall be:
 - i) A minimum of 1,500 contiguous square feet of grass area;
 - ii) Not less than 30 feet in any direction;
 - iii) Not less than 10 feet from areas dedicated to vehicular use, such as a street or parking lot;
 - iv) Designed and located to be accessible to large populations, such as at a school, daycare, recreation center, senior center, public park, private park, water park, or religious institution; and
 - v) Co-located with amenities, including but not limited to trash bins, benches, tables, walking paths, drinking water, playground equipment and/or other recreational amenities.

Reed explained that since this was applicable only to new subdivision, the restrictions or planting restriction, were for new subdivisions and new development and it would be placed in Chapter 16.40 Landscaping Standards (Subdivisions).

Michael Bleak, Iron County Commission Chair, declared a Public Hearing open regarding amendments to Ordinance 2024-4.

No comments were offered.

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

Reed Erickson reported that the ordinance was titled Ordinance 2024-4. After review and consideration of the comments received, the ICPC had recommended approval of Ordinance 2024-4.

Marilyn Wood made a motion to approve a proposed Iron County Code Amendment, Ordinance 2024-4 as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Absent; Marilyn Wood, Aye.

PUBLIC COMMENTS

Cindy Bulloch, representing Congresswomen Celeste Maloy, reported that Representative Maloy was specifically working on the re-authorization of the Radiation Exposure Compensation Act (RECA) which was known as “Down Winders.” Celeste had initially hoped for some amendments that would expand benefits to miners and the geographical area. This had hit some roadblocks, and she was hoping to at least a strict extension (that expired on Friday) and for those who want to apply, today was the deadline. Representative Maloy would continue working to get that deadline expanded. There had been some talk regarding land use policies. There was a 5K that had been held in Salt Lake City for many years, now the Bureau of Land Management (BLM) was not going to allow them to be on BLM land. It was on a county road, but BLM was not allowing it. The BLM was not allowing a permit to pick up trash. Representative Maloy was trying to change some of those rules, or make it easier to get the permits.

Andrea Nelson, Cedar City Daughters of Utah Pioneers Museum, expressed her appreciation for the space they use in the Cedar City Visitor Center. The Visitors Center was safe to be alone, where other museums required 2 women there because of safety reasons. Andrea reported that there was not a lot of storage area, which they were in need of. She had spoken with Commissioner Bleak about possibly using some space in the Iron County Courthouse. She explained that the museum had 500 histories at the museum that were not accessible. They were

Portable Document Format (PDF) and not written very well. Some were written in long handwriting. Darlene Brinkerhoff had just transcribed one document that took her 5 hours to do. There were many who could no longer read long handwriting, but it was valuable information. They were re-doing all the histories to make them word documents and accessible for viewing online, while they do research of their histories in this area. Andrea reported that she was typing a history that was 36 pages long that included seven generations in this family. While she was typing the history she wondered how it compared to Family Search. She logged onto Family Search and found that the history she was working on was more detailed, and there were family members left off Family Search. Andrea encouraged everyone to join the Sons of the Utah Pioneers or Daughters of the Utah Pioneers because if we lose our history, we lose our future.

Paula Mitchell, Cedar City Daughters of Utah Pioneers, reported that she recently joined the Daughters of the Utah Pioneers as the Curator at the museum. She was learning about the many items at the museum. Those items were in a small storage space and she would like rotate some of the collections because there was not enough room to display all that they had. Paula noted that a person in town brought an old pioneer bride doll into the museum and she would like to put it on display rather in storage.

Ellen Sorensen, Director of the Utah Daughters of the Utah Pioneers Museum Board, reported that for the last 3 years, since the previous director, Kay Weber, who had passed away, they had discovered that there were a lot of artifacts scattered all over. Some in were found in Kay's garage, the basement of Mountain West, and in the basement of the Post Office. One of the past commissioners helped gather the artifacts and find a room in the Visitors Center for the museum. As mentioned by Paula Mitchell, there was not enough storage space. They had been able to find storage space at the Frontier Homestead, but was costing \$50 per month which was taking away from their resources. Ellen explained that she had spoken with Commissioner Bleak, who was assigned to the Daughters of the Utah Pioneers. Mike suggested that there might be some storage area in the basement of the Iron County Courthouse they could use.

Commissioner Bleak reported that he had discussed the possibility of using storage space with Jon Whittaker, Iron County Clerk. Mike noted that if she was willing to stay until the meeting was over, they could go down and see what was available.

Andrea Nelson reported that in March the Iron County Commissioners wrote a letter to the Iron County School District (ICSD) board supporting the reinstatement of the name "Redmen" to Cedar High School. The president of the ICSD board made a statement regarding a part of the commission letter that said, "As the authorizer of the School Board", which the president took issue with. He went on to quote from Utah Code Section 53G-3-202 (1) (a), "Each school district shall be controlled by its local school board and shall be independent of municipal and county governments." Andrea noted that this was true because the school board manage the schools and do not come before the commission for approval. However, she wondered what came first, the ICSD or the county. If it was the ICSD then what entity runs Iron County that would then have a school district, and of course it was the county commission. Andre quoted Utah Code, Section 53G-3-20, "The county legislative body shall within 30 days following the day on which the creation, consolidation, division, or dissolution of a school district occur, file with the lieutenant governor..." She noted that it was up to the county commission to file with the lieutenant governor. Some school districts were located within the boundaries of more than one single county, and all this had to be worked out because of the taxing authority. Section 53G-3-203 (3) (b) (iii), "A school district may not levy or collect property tax or property within the affected area until the county legislative body records the documents listed in Subsection (2). The ICSD board could not collect tax to operate until the county commission authorized it. Andrea reported that she wanted to make it clear that the Iron County Commission was the authorizing agency. She expressed her appreciation to the commissioners for all they do and for their support.

DISCUSSION AND POSSIBLE APPROVAL OF A SINGLE EVENT LOCAL CONSENT PERMIT HELD AT FAVELA’S RANCH, 6353 N 1600 W. BERYL, UT ON JUNE 29, 2024 AND JULY 20, 2024 FROM 1:00 P.M. TO 9:00 P.M.

Rigoberto Favela, Favela’s Ranch Racetrack, noted that he had presented this event to the commission in April, but it had to be cancelled because of weather. Rigoberto inquired if it was possible to be approved for the July event one month in advance. Jon Whittaker replied that it could be approved through the commission, but it depended on if the Department of Alcoholic Beverage Control (DABC) would accept it. Mr. Favela reported that he had the dates set for the whole season. Jon noted that it was more expensive to have a permanent permit than the single events. Sam Woodall, Iron County Deputy Attorney, reported that it would be better to approve the 2 events presented in the agenda. Sam noted that he would look to see if there was something that could be done to streamline events in the future. The July event could be submitted as long as there were no changes or issues.

Reed Erickson, Iron County Planner, reported that he asked Sheriff Carpenter, and the Sheriff asked if the permit was for serving alcohol or selling it. Rigoberto replied that they would be providing the alcohol and selling it to customers. Marilyn Wood asked if there would be a conflict. Reed replied that he had notified Sheriff Carpenter of the events because a Conditional Use Permit (CUP) was required for gatherings of over 50 people. It was the law that law enforcement be notified of these type of events. Sam Woodall reported that the Single Event Permit allowed Rigoberto to consume, sell, or provide alcohol.

Marilyn Wood made a motion to approve a Single Event Local Consent Permit held at Favela’s Ranch on June 29th and July 20th. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Absent; Marilyn Wood, Aye.

PRESENTATION ON TAX-EXEMPT STATUS FOR THE CEDAR CITY HOSPITAL

Eric Packer, Cedar City Hospital President, reported that the Cedar City Hospital mission was “Helping people live the healthiest lives possible.” Eric noted that the hospital was a Not-for-Profit and they help meet the diverse healthcare needs of the community by providing excellent care at the lowest appropriate cost, regardless of the patient’s ability to pay. Erick reported on the Cedar City Hospital 2023 Statistics as listed:

- 492 caregivers;
- Licensed for 48 beds;
- 533 bags of blood;
- 2,852 admissions;
- 7,822 charity cases for \$4,571,108;
- 781 babies delivered;
- 3,302 surgeries performed; and
- 20,469 emergency room visits.

Eric reported that there was a great Board of Trustees that provide insight and information regarding the community. Mr. Packer reported on the Government requirements to maintain Not-for-Profit status/property:

- State Requirements:
 - Six standards, County Board of Equalization conference, Gift to the community, and Charity Plan.
- Federal Requirements:
 - Community health needs assessment, Identification and management of priorities, Hospital activities reported on Form 990, Schedule H, and \$50K excise tax per hospital if requirements not met.

Eric reported that the hospital was implementing AEGIS phone app. AEGIS aim:

- New software to help manage disasters;
- Any caregiver will be able to activate an alert from their phone;
- The hospital could use it to communicate with established groups including their command center and the police; and

- It allowed caregivers to document where they were in the building and if they were safe.

Eric reported projects at the hospital:

- The roof replacement was completed in April of 2024;
- The lab relocation was completed in May of 2024;
- Imaging expansion was currently in the Design/Architecture phase, with construction to begin January 2025 and be completed in March 2025;
- Emergency Department expansion was currently in the Design/Architecture phase, with construction to begin in November 2024 and be completed March 2025;
- Chiller replacement was in the design process, with construction to begin in October 2024 and be completed March 2025;
- Proposals were out for the Cancer Center expansion, Medical Office building, and Ambulatory Surgery Center and approval for the projects were pending.

Jordan Merrill, Community Health Program Manager (serving St. George, Cedar City, and Garfield Hospitals), reported on the Iron County Community Health Needs Assessment. This was the end of the 3rd year of this assessment. He noted that data was collected from the Iron County Health Department and local health experts. That data revealed three priorities:

- Improve mental well-being;
- Improve chronic and avoidable health outcomes; and
- Address and invest in social determinants of health.

Jordan reported that only 10% of what could be done to really impact an individual's health was through clinical services and the majority involved the community and to have all community organizations address those health needs. It takes the community to come together to make an impact. He listed the Iron County organizations that they had partnered with to provide funding to work in the three priority areas: Color County RC&D Council, Ten Thousand Beds Inc., Rural Utah Project Education Fund, Project Embrace, Southern Utah University (SUU), Adopt a Native Elder, Southwest Community Health Center and Public Health Department, Friends of the Iron County Sheriff, Iron County Care and Share, and the Family Support Center of Southwestern Utah.

Mike Bleak expressed his appreciation of the level of health care that was provided to Iron County.

Eric Packer reported that the Cedar City Hospital was listed as one of the Top 20 Hospitals in America - listed as #2.

REVIEW THE CURRENT STATUS OF "VISION IRON COUNTY" (VIC) AND POSSIBLE APPROVAL OF FINANCIAL INVESTMENTS IN THE FUTURE

David Busk, Vision Iron County (VIC), reported that VIC was established in 2017 on the principle that every voice in our communities deserved to be heard and valued in the process of shaping our shared future. David noted that anyone associated or affiliated with VIC comprised of volunteers. He expressed his appreciation to the current VIC board members. Each of the board members represents a Focus Area team. When VIC began, they hired Kem C. Gardner Policy Institute to conduct a survey. Out of that survey, 10 Focus areas were created which included Education, Economic Development, Healthcare, Community Character, Arts/Entertainment and Tourism, Infrastructure, Land Use/Housing, Parks/Recreation and Open space, Technology, and Transportation. David reported that at least once a quarter VIC held a mastermind session around a specific topic that was relevant. Last week during a mastermind session regarding housing, there was a panel of community members that participated. Having representation from different areas helped them hear different perspectives about the housing issues. The main point for VIC was to bring people the right people together, for the right discussions on how to move forward. VIC would like to work alongside the commission to educate or help in any way. David reported that the VIC board had visited many of the communities and there had been some great involvement. He noted that VIC had recently

established their 501(c)(3) non-profit status which would help with funding assistance. David reported that VIC needed to conduct another survey. The last survey was conducted pre-COVID-19 and many things had changed since then. Kem C. Gardner had agreed to help once again to conduct another comprehensive survey. The cost for the survey was approximately \$24K. VIC needed to have some technological enhancements and invest in digital infrastructure. Stakeholder engagements to continue hosting community meetings through town halls, panels, special events, and community visits. David reported that VIC did have one paid Full-Time employee, Keisha Anderson, through a grant from the Governor's Office of Economic Opportunity. Keisha was the VIC project coordinator and an AmeriCorps Vista volunteer. He noted that bringing all the projects together requires funding. VIC believed the commitment to empowering communities and fostering sustaining development aligned closely with the mission of the Iron County Board of Commissioners. Therefore, VIC respectfully requested the commissions support VIC with funding in the amount of \$8K to help them move forward. They also planned to go to each of the communities involved with VIC for help. Those communities included Cedar City, Enoch, Parowan, Brian Head, Kanarraville, Paragonah, Beryl, Beryl Junction, Hamilton Fort, Hamlin Valley, Old Iron Town, Lund, Modena, Newcastle, and Summit. The purpose of VIC was to be a partner and a resource tool.

Commissioner Wood asked if the \$8K was needed immediately or could it wait until budget hearings at the end of the year. David replied that they would like to conduct the survey this year, so the sooner the better, but understood there were steps to follow.

Commissioner Bleak reported that VIC was valuable for Iron County moving forward. The commissioners would discuss if there could be a mid-year adjustment or wait until November during budget hearings.

DISCUSSION AND POSSIBLE APPROVAL OF A UTAH DEPARTMENT OF AGRICULTURE AND FOOD GRANT AGREEMENT

Michael Bleak, Iron County Count Commission Chair, declared agenda item number 10 stricken, as it was a duplicate of item number 11.

DISCUSSION AND POSSIBLE APPROVAL OF A UTAH DEPARTMENT OF AGRICULTURE AND FOOD GRANT FOR INVASIVE SPECIES MITIGATION WEED CONTROL 2024-2025 SEASON

Amber Hatch, Iron County Weed Supervisor, explained that she was here today to ask approval of the 2 Invasive Species Mitigation (ISM) grants that the State of Utah had approved for Iron County. Amber noted that she submitted one grant application for Iron County being the Fiscal Agent for the I-15 Corridor, which would begin in Kanarraville and be the Historical retreat of that fire and end at the Enoch/Iron County line. Amber reported that the 2nd grant was run through the Cooperative Weed Management Areas (CWMA) Fiscal Agent Iron County for Cedar City. She explained that historically, what had previously been treated for ISM was annexed into Cedar City, so the Iron County Weed Department could help them. The CWMA Grant, Cedar City, was for \$21.5K, and the I-15 Corridor Grant was \$42,272, unincorporated areas specific.

Marilyn Wood made a motion to approve a Utah Department of Agriculture and Food Grant Agreement for Invasive Species Mitigation weed control for the 2024-20252 season as presented by Amber Hatch. Second by Michael Bleak. Voting; Michael Bleak, Aye; Paul Cozzens, Absent: Marilyn Wood, Aye.

EXPLANATION AND DISCUSSION REGARDING MUNICIPAL SERVICE TAX

Jon Whittaker, Iron County Clerk, explained that this item was a result of a public comment regarding the unfairness of the Municipal Service Tax that was implemented in 2008. Jon reported that he asked Luke Little, Iron County Auditor, to explain where the money was dispersed and Reed Erickson, Iron County Planner, to explain the structure and history of the tax.

Luke Little, Iron County Auditor, explained that there was a separate line in the Iron County Budget for the Municipal Service tax. This tax was for anyone who lived outside of city

limits. On the property tax notices there were different line items (Levy's) listed: Iron County School District was 60% of property tax, General Fund was 10%, City was 20%, and Municipal Services was 20% if you were outside the city limits. The Municipal Fund included the: Beryl Community Center, Planning and Zoning Department, Sheriff (not the Jail), Search and Rescue, Iron County, Beryl and Newcastle Fire Departments, Building Inspector, Weed Control, Predator Control, and Cooperative Recreation (paid to city parks).

Reed Erickson, Iron County Planner, explained that in 2005 there were challenges with funding and which direction to go in terms of density. How much it was costing Iron County to provide services to those living in the unincorporated areas and whether it was better to follow higher or lower-density development. There was an extensive evaluation of the costs of service and level of service. It became apparent that the taxing structure was deficient. Reed visited with Joe Melling, Cedar City Manager at that time, and Joe stated that those living in municipalities were being double-taxed (double taxation). It was discovered that services provided within the municipalities were paid for by those living in the municipalities. The services provided in the unincorporated areas were also being paid by those in the municipalities. He noted that services provided within the General Fund Levy were the same for everyone whether they were in the incorporated or unincorporated areas, which were services provided for everyone regardless where they lived. At that time, Salt Lake County was the only county with a Municipal Services Tax. The smaller counties did not have the same tax structure that Iron County did. As a result of this finding the following events happened;

- 2007 – Resolutions were passed to begin the process of creating an Unincorporated Area Services District, which would collect a Municipal Services Tax. An extensive analysis, based on percent, was conducted to determine how much of the crossover department budgets were spent in the incorporated and unincorporated areas.
- 2008 – The tax was put in place to levy a tax for the municipal services, which were defined by state law, to those living in the unincorporated areas of Iron County.

DISCUSSION AND POSSIBLE APPROVAL OF GOLD CROSS EMERGENCY MANAGEMENT SERVICES (EMS) WITHIN IRON COUNTY

George Colson, Iron County Emergency Manager, explained that during the 2024 Legislative Session, the obligation to provide emergency services was placed back on the counties and incorporated cities. George reported that Iron County had never executed a contract with Gold Cross Services. He noted that he, Commissioner Bleak, and Sam Woodall traveled to Salt Lake City and met with Derek Bushman, State Division Director for the Bureau of EMS, who reported that it was in the best interests of Iron County to have a contract. George reported that he and Sam worked together to create a contract. The contract was approved by Gold Cross Services, Inc. to provide 911 ambulance services for Iron County. He noted that he attended each municipality's council meetings and gave them each the option to individually contract with Gold Cross and each chose to follow the EMS Contract through Iron County.

Marilyn Wood made a motion to approve Gold Cross EMS services within Iron County as presented by George Colson. Second by Michael Bleak. Voting; Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Tanya Hibler as a Full-Time 4-H Coordinator for the USU Extension Office, effective June 14th. This was a backfill of a vacant position; the transfer/promotion/status change of Stephanie Rainey from a Full-Time Career Service hourly Children's Justice Center (CJC) Victim Coordinator 2 to a Salaried Career Service Exempt Council on Aging (COA) Director, 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 Michael Bleak. Voting: Michael Bleak, Absent; Paul Cozzens, Absent; Marilyn Wood, Aye.

Jennifer Bradbury reported that the State of Utah implemented Utah Code §53-22-103 which states that "Each county sheriff shall identify an individual as the county security chief within the sheriff's office to coordinate security responsibilities, protocols, and required training between the state security chief, the county sheriff's office, and the corresponding police chief's who's jurisdiction includes a public school within the county. The code was to be implemented by July 1, 2024." She noted that Commissioner Bleak, Sheriff Carpenter, Chad Dotson, Iron County Attorney, Lucas Little and herself met with the Iron County School District (ICSD) regarding this new code. The ICSD met after the meeting to discuss the funding for the position. They were still in internal negotiations and discussions this week regarding the code between Roy Mathews, ICSD Secondary Education, and Sheriff Carpenter.

Jennifer reported that Sheriff Carpenter was requesting a new Patrol Deputy 1 position to replace pending transfer of existing employee to cover the Iron County Security Chief position, created in response to the Utah's School Security Act (as outlined in Utah Code §53-22-103) with possible shared funding through the Iron County School District (ICSD). The total cost for one Patrol Deputy 1 position would be \$97,045.59.

Commissioner Bleak noted that during the meeting with the ICSD, it was discussed to have the Iron County Security Chief position be a partnership with the ICSD, as was done with the school Resource Officers, where each pay a portion of the salary. Jennifer reported that she had received an email from the ICSD HR Director which read, "The district would like to work with Sheriff Carpenter and whomever else needs to be involved, and rather than hire a completely new position, they would like to see if that title could be hired by the department to fulfill these duties on the county side. Roy Matthews would be reaching out to the sheriff to work out the details, but has been on vacation and was out today as well and will return tomorrow."

Michael Bleak reported that Zach Tuttle was currently the ICSD Safety & Security Coordinator. Mike stated that this was an unfunded mandate by the State of Utah. This was going to cost \$100K and each county had to have the employee in place by July 1, 2024, which no one budgeted for, and there was no funding from the state. It was a requirement from the State of Utah, but no funding was made available from the state. Jennifer reported that she had reached out to other HR Directors in several counties and only one county could possibly implement the program thus far.

Marilyn Wood made a motion to table this item pending further discussion on shared funding with the Iron County School District. Second by Michael Bleak, Aye; Paul Cozzens, Absent; Marilyn Wood, Aye.

Jennifer presented a change of the Iron County Weed Supervisor position from hourly Career Service status position to a Salary Exempt status Director position; status change for Weed Department Supervisor Amber Hatch, effective June 9th.

Marilyn Wood made a motion table this item for further grant clarification. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Absent; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

Closed Session

DISCUSSION REGARDING ONGOING LITIGATION, THIS PORTION OF THE MEETING MAY BE CLOSED PURSUANT TO UCA 52-4-205(1) (c), "STRATEGY SESSIONS TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION"

Marilyn Wood made a motion to move into a closed session pursuant to UCA §52-4-205 (1) (c) – “Strategy Sessions to discuss pending or reasonably imminent litigation.” Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Absent; 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) for discussion regarding ongoing litigation.


Signed: Michael Bleak, Chairman


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.


Signed: Michael Bleak, Chair


Attest: Jonathan T. Whittaker, County Clerk

