

**IRON COUNTY COMMISSION MEETING
JUNE 24, 2024**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 24, 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
Shalon Shaver	County Corrections
Sam Woodall	County Deputy Attorney
Jennifer Bradbury	County HR Director
Mike Worthen	County Natural Resource
Reed Erickson	County Planner
Bruce Anderson	County Public Works Director
Carri Jeffries	County Recorder

Others in attendance:

Carol Barker	Maile Wilson-Edwards	Jeff Richards
Susan Sepe	Bruce Washburn	

SYNOPSIS

ADJOURNMENT9

APPROVAL OF CLAIMS FOR PAYMENT2

APPROVAL OF MINUTES2

COLOR COUNTRY OHV TRAIL MAINTENANCE, MATERIALS & SUPPLIES GRANT4

DEPARTMENTAL REPORTS.....2

INVOCATION2

MONUMENT REPLACEMENT AND RESTORATION COMMITTEE GRANT8

NON-DELEGATED ITEMS.....8

PERSONNEL8

PLEDGE OF ALLEGIANCE.....2

PUBLIC COMMENTS4

RATIFICATION, ORDINANCE 2024-4 WATER-WISE LANDSCAPING STANDARDS4

INVOCATION

An invocation was offered by Bruce Anderson.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meeting held May 28, 2024. Second by Paul Cozzens. Voting: Michael Bleak, Abstain; Paul Cozzens, Aye; Marilyn Wood, Aye.

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meeting held June 10, 2024. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Abstain; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Paul Cozzens made a motion to approve Claims for Payment from June 10, 2024 to June 23, 2024. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Bruce Anderson, Iron County Public Works Director, reported on the Road Department. Bruce expressed his appreciation to Ryan Riddle and his team for their assistance putting up and taking down the sign boards for the ranchers pushing cattle up Parowan Canyon. Bruce noted that he had received many calls thanking him and saying it was helpful to everyone. There seemed to be an increase of departments working together which had been very beneficial. Marilyn Wood reported that Mike Worthen, Iron County Natural Resource Manager, was working on an agreement with Bureau of Land Management (BLM) on the shooting range issue. Bruce reported the Road Department had completed chipping 7700 West. It still needed to be swept, seal coated, and lines painted. From 7700 West, they went to Beryl Hwy and swept it off on Friday. He noted that the Road Department was presently chipping Bench Road in Newcastle and then would move to 5700 West on the belt route. They still had part of 2300 (Airport Road) to Midvalley from 2400 West and down to do. There was a discussion about using "Slurry Seal" on the roads. Bruce reported that realignment work continued on the Gold Springs Road. He noted that George Colson, Iron County Emergency Manager, was helping with funding from Federal Emergency Management Agency (FEMA). Bruce reported that when chipping was completed they would finish the turn-in/turn-out on Hwy 14. There were plans to have the parking lot paved on July 25th. He was in the process of getting bids for Type-2 crushing. Bruce reported that the budget was on track. There was a discussion regarding the water recharge in Parowan and the use of the Iron County gravel pit, the cattle guards on Webster's Flat and Summit, and the pond up right hand. Bruce noted that the John Deer 724 transmission went out and it would need to be fixed which would cost approximately \$20K.

Bruce reported on the Landfill Department. Scott Carter was having shoulder surgery so they would be down one worker in the Landfill. Bruce reported that the landfill continued to be plagued with fires. He noted that most of them were because of batteries. There was a fire on Thursday that was caused by batteries in a hover-board and he heard a snapping noise which was from a smoke detector. All the landfills south of Nephi were having the same issue. The battery issue was a topic at the National Solid Waste Association of North America (SWANA) convention this year. We need the public's help to take the batteries out before bringing the loads to the landfill. It seemed to be the rechargeable batteries that were causing the fires. Bruce reported that the new landfill computer program was moving forward and hoped to have it up and running by the end of July. He noted that the garbage truck that was ordered in 2023 had not been delivered, but hoped it would by the end of July. Bruce reported that from January 1st through May 23rd, there were 14,753 vehicles that came to the landfill, compared to 14,100 in 2023. Bruce reported that the landfill would need another person to be a spotter down in the pit.

There was so much going on and the person working the compactor had a difficult time doing both. There was 1 vehicle in the pit every 3 minutes. He noted that the new compactor was making a big difference.

Shalon Shaver, Iron County Corrections, reported that the overall budget at the end of May was 38%. The overtime budget was doing well. Shalon noted that corrections was down 2 deputies and 2 might be leaving. Culinary cost per meal was \$0.96 per meal. She reported that total bookings were 249 compared to 541 in the first quarter. The average daily population total was 169 compared to 152 first quarter, 22 Female, and 147 men. Federal inmates were at 43. Because of overcrowding, she had asked that the state cut back on the number of federal inmates. Shalon reported that the work crew had worked 251.5 hours in the community. They had done work for the Sheriff's Office, Jail, Building Department, Roads Department, Parks & Recreation, Fair, Landfill, and the Parowan Court. She noted that corrections were able to hire 5 deputies and one clerical. Two of them were in the academy and two had graduated. Planning meetings for the new Sheriff Complex continued to move forward. Marilyn Wood expressed her appreciation for the work crew. They did an excellent job with the fence at the fairgrounds.

Paul Cozzens, Iron County Commissioner, reported that he had a meeting with the Cedar City and Enoch regarding water. Cedar City was spending \$5M to \$6M to put in a cloth filter at the Wastewater Treatment Plant to improve from Type 2 affluent to a Type 1 affluent. Cedar City would then pipe it to areas that could use the water for irrigation. Cedar City Mayor Green said that with this change 80% was Cedar City, 10% was Iron County, and 10% Enoch City. Enoch City had planned ahead well with a secondary system in their new subdivisions. Enoch City would use their share of the water for their plan. Paul reported that Cedar City said 10% was Iron County but most of the water belonged to the water district. Those that live outside the city contribute to the Wastewater Treatment Plant and were connected to the Central Iron County Water Conservancy District (CICWCD) system. Paul explained the CICWCD system. He reported that while in the meeting he said that the part that Iron County did own obviously had some value and if Iron County could possibly do some trading with that water for the water shares that were needed for new jail. Jon Whittaker, Iron County Clerk, noted that there might be a fairness issue. The Clerk's Office does the billing and Iron County pays the same monthly as Cedar City. Was Cedar City using the revenue from the monthly bills? Paul replied that he told Cedar City that Iron County was not interested in using any money. Iron County had a jail to build and we do not have the money to give. The challenge with using Type 1 water was it was used in the summer and during the winter the water needed to be stored. There was continued discussion on this issue. Paul reported that he had received comments regarding the construction that was being done by Phil Schmidt just before the new overpass on Coal Creek Road. He noted that it was not the CICWCD's project, it was the Coal Creek Irrigation Company's project. Paul reported that while he was in Alton installing a small cabinet for his son, the owner, John Johnson, began a conversation with him. He explained that John had a company named "Ace K9". John had a system that monitored the temperature in the vehicles. If the temperature got too high it alerts the officer or dispatch. He had placed his system in all of the Law Enforcement vehicles that had a K9 Unit. Paul and John met with Sheriff Carpenter, Darrin Adams, and Clint Pollock informing them of this system. John wanted to be part of the community and would like to work with our LE.

Marilyn Wood, Iron County Commissioner, reported that improvements on the Iron County Fair Building was moving forward. The roof of the building had leaking issues and a new roof was being put on. Marilyn noted that she attended the 20th USU Extension Agriculture Appreciation Dinner where they spoke about mental health for farmers and ranchers. She encouraged anyone who needed help, or if someone knew a farmer or rancher that needed help, to contact the USU Extension Office and they would help find someone who could help them. USU Extension had grants available to help with payments. Marilyn expressed her love for her family and for surprising her and her husband with a 50th Anniversary dinner. Commissioners Michael Bleak and Paul Cozzens congratulated her for their 50th Anniversary.

Michael Bleak, Iron Counter Commissioner, reported that he had a meeting with Brandon Burke, Cedar City Events Director, and Ryan Paul, Historian at Southern Utah University (SUU), regarding the planning of a Haunted Downtown in Cedar City. Mike explained that two years ago, in Kingman, Arizona, they had a haunted downtown which was put on by a Children's Theatre for a fundraiser. They got the downtown merchants to be included in the event by telling ghost stories. Brandon thought that it was a great idea. They would be working together with the local businesses to get people downtown for the event. They were still in the discussion phase for the event and a date had not been set. Mike reported that the Shakespearean Festival had their opening last week. He noted that the Shakespeare Festival had 3 new programs that were more in depth showing where their patrons were coming from which was a great asset for Economic Development. The Shakespeare Festival had been an excellent partner. Any data information was shared with Maria Twitchell, Iron County Tourism. Maria had used a couple of their programs for the Transient Room Tax (TRT) and the Tourism, Recreation, Culture & Convention Tax (TRCC). There was a great partnership between the Shakespeare Festival and David Johnson, Danny Stewart, and Maria Twitchell. Commissioner Bleak reported that discussions regarding a Conference Center were moving forward. The first step was to identify property for the center. Money had been set aside since COVID-19 to purchase property and they hoped to acquire property soon. Mike, Maria Twitchell, and John Johnson met with Rob Cottle to look at properties. He reported that he attended the 1st Annual Kanarraville Fire Department Fundraiser Mutton Fry in Kanarraville. He was cooking potatoes with Tyler Allred, Ben Batty, Cameron Douglas, Robbie Masterson, and Mr. Blackburn. Mike thanked Ray Masterson and Mark Orton for their assistance with preparing and cooking. It was a successful event and they raised just under \$5K. Mutton, brisket, mountain lion, and venison were served. Mike reported that the Children's Justice Center (CJC) held their annual Fun Run fundraiser on Saturday. It was successful and everyone had a great time. He walked through the new CJC building and it was getting closer to completion. Work on the parking lot would begin today. Mike expressed his appreciation to Thayne Hainsworth, Iron County Building/Facilities Maintenance Supervisor. Thayne took over the maintenance for the Council of Aging (COA) and has done a great job with the Iron County buildings and work on the fairgrounds. Marilyn Wood reported that the lawns at the fairgrounds were yellow. Thayne went over and used the water truck to water the lawns and within 2 weeks they looked wonderful. She explained that after the change in maintenance, Thayne noticed that the heads were missing from the sprinklers. Jon Whittaker reported that Thayne was doing great with the courthouse.

PUBLIC COMMENTS

No Public Comments were offered.

DISCUSSION AND POSSIBLE APPROVAL OF A GRANT FOR COLOR COUNTRY OHV TRAIL MAINTENANCE EQUIPMENT, MATERIALS, AND SUPPLIES

Mike Worthen, Iron County Natural Resource Management Specialist, explained this grant was from the Utah Outdoor Recreation with the Department of Natural Resources (DNR). Mike reported the grant was for maintenance of the OHV trails and to purchase a Mini Hydraulic Excavator 306 to help maintain the trails. The Mini-Ex would cost \$136,585. The Road Department had agreed to help with the purchase and would use it at times. Mike purchased some tools for a seasonal employee. The grant required an e-signature and Maureen Casper would email the form to Commissioner Bleak.

Marilyn Wood made a motion to approve the grant for Color Country OHV Trail maintenance, equipment, materials, and supplies in the amount of \$126,585. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

**RATIFICATION OF OMISSION FOR APPROVED IRON COUNTY 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**

Reed Erickson, Iron County Planner, explained that one sentence was omitted from Section 17.34.135 (2) which was “In addition, there shall be no lawn in landscaped areas less than 8 feet wide in width and no lawn in park strips.” Reed explained that it was included in the residential developments but had been omitted from the commercial, industrial, institutional, and multifamily developments. When the state reviewed the ordinance, they said it did not qualify for the turf buyback because the omitted sentence needed to be included in all developments regardless of zoning. He noted that he had received 2 inquiries for the turf buyback and told them that the ordinance had to be approved first. Paul asked for clarification that the language in the ordinance was what the state required. Reed replied that it was. He explained that there was lawn area in the front and back yards. Reed noted that the idea was to have this ordinance in place so people could qualify for the turf buyback. Iron County would be responsible for enforcing that when the Iron County Planning Commission (ICPC) reviewed a site plan. This ordinance was just a minimum that the state required to qualify. Discussion continued on the grass area. Reed reported that he had not received any calls or concerns regarding the landscaping ordinance. This ordinance was a request from the CICWCD. This would benefit those that qualified and gave residents an incentive to remove grass. He explained that this was a water-wise ordinance and not a landscaping ordinance. The intention was not to regulate landscaping, but to have the minimum requirements so residents could qualify. Iron County needed to show they want to be water-wise and do their part. Jon Whittaker asked if there had been any push back from Enoch or Cedar City. Reed replied that there was not.

Paul Cozzens made a motion to approve ratification of omission for the Iron County Ordinance 2024-4, adopting and/or modifying Section 17.36.135 – Water-wise Landscaping Standards; Section 17.84.010 – Definitions; and Chapter 16.40 – Landscaping Standards as presented by Reed Erickson. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye, Marilyn Wood, Aye.

IRON COUNTY ORDINANCE 2024-4

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING AND/OR MODIFYING SECTION 17.36.135 – WATER-WISE LANDSCAPING STANDARDS; SECTION 17.84.010 – DEFINITIONS; AND CHAPTER 16.40 – LANDSCAPING STANDARDS; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Iron County has determined in accordance with the desire to support more water-wise landscaping practices, to allow projects to qualify for various “Turf Removal Incentive Programs” and to promote better water use and conservation in landscaping practices, certain provisions and regulations need to be added and/or modified; and

Whereas, the County Commission finds that it is in the best interest of the County after taking into consideration the citizen’s health, safety and welfare, to amend the following ordinances; and

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

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

Zoning Ordinance.

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

SECTION 1. Within **Section 17.36.135 – Water-wise landscaping standards**, a portion of the Iron County Code, shall be, and hereby is, added to read as follows:

17.36.135 – 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, or road travel way, and the property line or 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 their 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. In addition, there shall be no lawn in landscaped areas less than 8' in width, and no lawn in park strips.

SECTION 2. Within **Section 17.84.010 – Definitions**, a portion of the Iron County Code, shall be, and hereby is, added to read as follows:

17.84.010 – Definitions.

“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 recreation areas shall be:

- i) A minimum of 1,500 contiguous square feet of grass area;
- ii) Not less than 30 feet in any dimension;
- iii) A minimum of 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.

Remainder of this Section remains unchanged.

SECTION 3. Within **Chapter 16.40 – Landscaping Standards**, a portion of the Iron County Code, shall be, and hereby is, added to read as follows:

Chapter 16.40 – Landscaping Standards

16.35.010 - Purpose and intent.

The following water-efficient landscape standards shall apply to all new residential developments and residential construction.

16.35.020 - Use regulations.

1. Residential Developments:

- a. The area within the public right of way between the curb and gutter, or road travel way, and the property line or 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 their 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:

- a. 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. In addition, there shall be no lawn in landscaped areas less than 8' in width, and no lawn in park strips.

SECTION 4. General Provision.

Sections of the Iron County Code identified in this ordinance, shall be, and hereby are, amended with the express intent of providing for efficient use of water in landscaping and to help qualify interested individuals for the State and local Turf Removal Incentive Program, in accordance with Utah State code and Iron County code.

SECTION 5. Severability.

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

SECTION 6. Effective Date.


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

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 10th day of June, 2024.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael P. Bleak, Chair

ATTEST:


Jonathan T. Whittaker,
County Clerk



VOTING:

Paul Cozzens Aye
Marilyn Wood Aye
Michael Bleak Aye

DISCUSSION AND POSSIBLE APPROVAL OF MONUMENT REPLACEMENT AND RESTORATION COMMITTEE GRANT

Carri Jeffries, Iron County Recorder, reported that the Replacement and Restoration Committee Grant was \$28,230. She explained that this was the same grant that she presented to the commissioner's in 2023. This year the grant was less. Last year the grant was for \$70K and she puts \$10K in the Recorders budget every year. Carri reported that the Auditor's Office used Ensign Engineering to survey. While finding the monuments they had only needed to replace 2. After they find the monuments, Ensign Engineering would send her a Tie Sheet that she had in the office and put it online. It included the exact coordinates and pictures which makes it easier for the surveyor to find the monuments. Kendal Allen, Iron County GIS Coordinator, pulled the Public Lands Survey System (PLSS). The state was pulling the PLSS nor updating the information. Carrie reported that she met with the state about two weeks ago and the state agreed to begin updating the information and would begin with Iron County. She would ask the BLM to become involved so she could update their monuments.

Marilyn Wood made a motion to approve the Monument Replacement and Restoration Committee Grant as presented by Carri Jeffries. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye, Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Mason Davis as a Full-Time Technician 2 for the Road Department, effective June 24th. This was a backfill of a vacant position; the new hire of Kaitlyn Brian as a Part-Time Fair Marketing/Administrative Assistant for the Fair Department, effective June 12th. This was a backfill of a vacant position.

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

NON-DELEGATED ITEMS

Boards:

Michael Bleak reported that Gary Dalman's term on the Restaurant Tax Board had expired. Mike noted that he asked Don Jersey from Parowan to replace Gary Dalman on the Restaurant Tax Board. Don agreed to serve on the Restaurant Tax Board.

Marilyn Wood made a motion to appoint Don Jersey to the Restaurant Tax Board. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye: Marilyn Wood, Aye.


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"

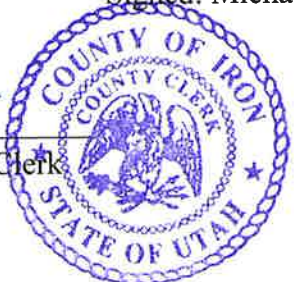
Paul Cozzens made a motion to move into a closed session pursuant to UCA §52-4-205 (1) (c) – “Strategy Sessions to discuss pending or reasonably imminent litigation.” Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Absent; Marilyn Wood, Aye.

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

