

IRON COUNTY COMMISSION MEETING
OCTOBER 14, 2024

Minutes of the Iron County Commission meeting convened at 9:00 a.m. October 14, 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-excused
Jonathan T. Whittaker	County Clerk

Also present:

Karsten Reed	County Assessor
Chad Dotson	County Attorney
Luke Little	County Auditor
Sam Woodall	County Deputy Attorney
Richard Wilson	County Engineer
Jamie Evans	County Fair
Jennifer Bradbury	County HR Director
Reed Wilson	County Planner
Carri Jeffries	County Recorder
Kent Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer

Others in attendance:

Spencer Bowman	Carol Barker	David Johnson
Adam Long	Tyler Melling	John Oglesby
Toni Robison	Nate Runyan	Ray Sadd
Sharon Sadd	Jed Townsend	Jeremy Truman
Merilee Wilson		

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Sam Woodall.

Michael Bleak, Iron County Commission Chair, excused Commissioner Wood who was attending to a family obligation.

APPROVAL OF MINUTES

Paul Cozzens made a motion to approve the minutes of the Iron County Commission meeting held September 9, 2024. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

APPROVAL OF CLAIMS FOR PAYMENT

Paul Cozzens made a motion to approve Claims for Payment from September 23, 2024 to October 13, 2024. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

DEPARTMENTAL REPORTS

Karsten Reed, Iron County Assessor, reported that Bradden Beaumont and Kendal Allan attended a Geographic Information Systems (GIS) Conference and learned to develop a photo transfer application that was integrated into greenbelt, which would save thousands of hours. Karsten expressed his appreciation to Kendall for all that he does for Iron County. There would be a presentation of the application during the next commission meeting, and updating the changes regarding the green belt. He also expressed his appreciation to Carrie Christiansen, Iron County Deputy Auditor, for her efforts and hours preparing for the Board of Equalization (BOE) meetings.

Jamie Evans, Iron County Fair Director, noted that this was a year of learning and growing as they had 3 new employees that started this year, and they all had been great. Overall, the Iron County Fair was successful and many notes were taken for next year. Jamie reported that she was investigating a new ticket software program that would work more efficiently for the sponsors and event ticketing. The last company had a tendency to double and triple book certain sections of the events for the last 2 years. Jamie reported on the update of the fairgrounds. The exhibit building facelift looked great. The new grass area was nice to have as it increased the blanket seating area. She noted that they were brainstorming on new ideas for the 2025 fair theme. Jamie reported that there was a name for the 2025 Fair Grand Marshal, but they had to reach out to the family members for approval before she made the announcement. There were

three new events this year: Team Sorting, 4D Barrels, and Ranch Rodeo Series, which all turned out well. The Little Buckaroo was switched to a Saturday and added Pony Bronc, Break Away Roping, and Mini Bulls. Jamie reported that she had received the Professional Rodeo Cowboys Association (PRCA) Rodeo review. The best comment in the review was that the sand in arena was great. The stock contractors were also happy with the rodeo. She noted that the Saturday PRCA Rodeo had the highest attendance ever. Search and Rescue reported that was the most cars they had ever parked and some had to be parked back in the Mud Bog area by the end of the night. Jamie expressed her appreciation to the Sheriff's Department, Search and Rescue, and VIPs for the amazing job they did this year. She noted that the Demolition Derby sold out again. Jamie reported that there were 27 new sponsors this year, for a total of 119 sponsors. Those sponsorships brought in \$141,500. She noted that the Color County Jamboree had 70 participants this year, which was smaller in numbers this year. Possibly because the Spanish Trail Rodeo was held the same weekend. The Cowboys liked the rodeo dates, as it was the last qualifying event for them before the Circuit Finals. Jamie reported that she had been working with the advertisers and Maria Twitchell, to get a marketing plan put together for next year to push the use of the fair building and arenas more next year. She noted that she had contracted a 2-day horse show next June. Commissioner Bleak reported that he did not hear any complaints and that the community and volunteers raved about this year's fair. Commissioner Cozzens noted that he enjoyed the grass area where they could set up their own lawn chairs to watch the events. An observation, and concern was with people placing huge blankets on the grass and not using the space, which tied up a lot of space that could have been used..

Carri Jeffries, Iron County Recorder, reported that the budget was on track at 57.56% used. There were 3,640 Recordings, 1,412 Transfer Documents, 18 Plats, and Total Revenue from July 1st through September 30th was \$146,498.40. Carrie reported that the "Fraud Notify Alerts" system was operating. She explained that a person could register their name and when a document was recorded with their name on it, they would be notified via email. This would give the person an early warning of property fraud being committed in their name. To sign up, go to www.ironcountytut.gov to the home page and scroll down to "Fraud Guard" and follow the instructions. Carrie reported that this was a free service and a notice would be included on the 2024 tax notices.

Nicole Rosenberg, Iron County Treasurer, reported that Product Sales as of January 2024 was \$21,550,546.14. Tax Distribution to Iron County was \$4,842,737.50. Nicole reported that collection of property taxes was approaching and money coming in would change the amounts drastically, and Pooled Cash was \$67,887,759.57. She noted that the Public Treasurers Investment Fund (PTIF) interest rate was holding at 5.25% and had collected \$1,850,729 in interest this year. Property tax extracts were sent to the printer and they would be mailed this week. Nicole reported that the Outstanding Taxes were down to \$1,100,000, and they had been working with Anna Teeple, Sheriff's Drug Court Tracker/Deputy 2, in getting her software program and a merchant so they could take credit cards payment for Drug Court. The new merchant for the Landfill seemed to be working well for them and they had not seen any problems. She reported that the budget was on track. Tax notices and postage were the big expenditures. Nicole reported that there had been some changes with seasonal employees and they were in the process of training the new staff. In the next 45-50 days, the Treasurer's Office would be collecting approximately \$50M in property taxes. Nicole expressed her appreciation to Melanie Hall and Nichole Bess, and how well the three of them work so well together.

Paul Cozzens, Iron County Commissioner, noted that the Departmental Budget Hearings would be held on October 16th, 22nd, 23rd, and 28th. Paul reported that he had the opportunity to speak at the Lions Club meeting. The Lions Club had asked him to speak about water issues in Iron County. He also attended the Iron County Planning Commission meeting on October 3rd.

Michael Bleak, Iron County Commissioner, reported that one of his commission assignments was to coordinate with Economic Development. He was a member of the Economic Development Committee and they had received Infrastructure Grant funds through the Governor's Office. The Economic Development Committee had discussed potential infrastructure projects that were coming up throughout Iron County, but no decisions had been made as of yet. Mike noted that weekly meetings were still being held regarding the plans for the new jail. He attended a "Meet and Greet" with Representatives Celeste Maloy and John Curtis. Mike reported that the commissioners attended a Sheep Producers meeting at the sheep corrals on Cedar Mountain where they were loading sheep for the market. Representative Maloy was in attendance taking questions from those that were in attendance and being made aware on the local issues that the Sheep industry was facing that she might be able to address on a federal level. He noted that he spoke at the Iron County Republican Women's in a panel discussion regarding progress on the new jail. He attended the Quarterly Fire Chiefs meeting where they discussed communications, equipment, and MOU's between departments, and attended the One Utah Summit that was held at Southern Utah University (SUU) with leaders from over the State of Utah to discuss rural issues. They discussed economic development, infrastructure, and leadership strategies. He had a dinner meeting with Sheriffs from Kane, Paiute, Garfield, and Beaver Counties. Governor Cox and Joel Ferry, Executive of the Department of Natural Resources (DNR), and local legislatures attended. Mike reported that he was on the Cedar City Airport Board and had attended their recent meeting wherein they continued to work towards more favorable flight schedules. He attended a dinner with the Site Selectors Guild members. Mike explained that the Site Selectors provide a location strategy to corporations across the globe for every industry, sector and function who were interested in building facilities. The site selectors never share who they represent or exactly what they were looking for, but it was an opportunity to build relationships with them. Commissioner Bleak reported that Representative Maloy reached out to him and asked if he would assist with a resolution through the National Association of Counties (NACo) for Wildland fires and getting Wildland Firefighters hazard pay for working on prescribed burns that get out of control. He explained that the Federal Government does not recognize prescribed burns that get out of hand as an actual fire, therefore, they do not pay the firefighters. This resolution would go through the legislature to change the law and pay those firefighters. The firefighters work very hard and every year someone loses their life in wildland fires.

Paul Cozzens, Iron County Commissioner, reported that he and Richard Wilson, Iron County Engineer, went up Cedar Mountain to a road called the "Upper Basin Road" which goes from Kanarraville to Kolob Reservoir and was maintained by Iron County. He noted that over the years, private landowners sometimes purchased plots of land and placed locks on the gates. This was illegal because it was a prescriptive easement and the public had the right to use those roads. The public must also be respectful of the property on either side of the gate and close the gates behind them. Paul reported that he and Richard took down approximately 20-25 signs that said "No Trespassing" on gates along the Upper Basin Road. Signs that were parallel to the property were left up because they indicated that you could not trespass on the property, which was legal. Paul reached out to Sam Woodall, Iron County Deputy Attorney, and asked if there was an ordinance in place regarding the illegal signs. Sam replied that there was. Paul noted that he would like the ordinance placed on a future commission agenda for discussion.

Jon Whittaker, Iron County Clerk, noted that the commissioners might want visit a little more at length, with the Attorney's Office, about other solutions that might be pursued as far as something stronger than a prescriptive easement. We have to be very careful with imminent domain when possibly taking people's property. He wondered about approaching the landowners about dedicating those roads. Jon reported that there was an argument and an obligation that Iron County had to protect that public's right of transit and other legal options could be found to try and secure that a little more firmly. Jon reported that Washington County put up a sign that said, "This road is accessible to the public, please be respectful and close the gates," and Iron County was currently making similar signs. The Iron County Sheriff's had been out there numerous times cutting locks off gates and it needed to be addressed.

DISCUSSION AND POSSIBLE APPROVAL FOR USE OF THE IRON COUNTY FAIR BUILDING AS AN EMERGENCY REUNIFICATION CENTER FOR THE CAMPUS OF PAROWAN ELEMENTARY AND PAROWAN HIGH SCHOOL

Jed Townsend, Parowan High School Resource Officer, explained that as part the Iron County School District's (ICSD) Emergency Preparedness, each Iron School had been assigned to have a plan in place for any type of emergency, which each school would follow. If there were an event in which the school students and staff had to evacuate, they would go to a "Reunification Center" where student could be reunited with their parents. The center would need to be an indoor facility and had to be able to hold a large population of youth to meet their parents for pickup. Jed noted that the possible options in Parowan were churches and the Iron County Fair Building. Commissioner Bleak noted that in a natural disaster, or other event, George Colson, Iron County Emergency Management Manger, would have a place that would be utilized for staging for any type of emergency management type operations and Jed could work with George on this type of emergency. George's plan were usually staged outdoors, so it should not be an issue of using the building. An evacuation would be a one, long day process to get the children from the schools and to their parents. Jed reported that the proposal that was being brought before the commission today was essentially a contingency plan for what was previously set in place. This was sensitive information to where they would be relocating and allow the Critical Incident Command Team to make their decisions to determine where the best options for relocating would be. Toni Robison, Parowan Instructional Coach, reported that their goal was to get the students out of the schools and to a safe place. Discussion continued on how students would be transferred and how they were going to access the fair building.

Paul Cozzens made a motion to approve the use of the Iron County Fair Building as an Emergency Reunification Center for the campus of Parowan Elementary and Parowan High School. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM RESIDENTIAL ½ ACRE (R-1/2) TO RESIDENTIAL 4000, SQUARE FEET (R4K). APPROXIMATELY 16.53 ACRES, WITHIN THE S ½ SE ¼ SE ¼ SECTION 21, T35S, R11W, SLB&M, IRON COUNTY, UT, LOCATED NEAR 3000 N 2300 W, CEDAR CITY (APN: D-620-1) Applicant: DDJ Development LLC, represented by Platt & Platt Engineering

Reed Erickson, Iron County Planner, explained that the applicants proposed use to change to R4K was to subdivide the property according to the master plan. Development projects/properties zoned R4K must be at least 5 acres, and not more than 20 acres in size, be located at lease 1K feet away from another R4K zoned project/property, and provide central water with fire flow and central sewer. Reed reported that the 16.5 acres met the criteria of the R4K zone of 5 units per 20 Acres and was within the Tier II-outside of Cedar City's Annexation Plan. Services available were: Water-CICWCD, Sewer-Cedar City, other utility services were in the area (Power, Gas, Communications, etc.), Drainage/Flood provisions with the Stevensville Ditch.

Michael Bleak, Iron County Commission Chair, declared a public hearing open regarding a proposed zone change.

Tyler Melling, DDJ Development, expressed his appreciation to Reed Erickson for his work on this item. Tyler explained that DDJ Development had recently completed the process of a Development Agreement with Cedar City. When building was closer to the neighbors and the road, it would be single family detached home rather than twin homes. They could then make up for those units on the interior of the development for townhomes instead of twin homes, with the same density. Tyler explained the acreage and density for Cedar City compared to Iron County that DDJ Development was planning.

Jon Whittaker asked Richard Wilson if there was a plan in place around the intersection of Lund Hwy and 1600 N, where a lot of development had taken place, for placing high density housing and if any thoughts of a walkable area. Richard replied that the area which Jon inquired

about was located in Cedar City. Tyler replied Iron County had incentives to make sure trails and recreational amenities were publicly assessable, where Cedar City does not. He noted that there would be a trail system that would be made accessible to the public throughout the entire development as far as internal recreation and internal traffic flow.

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 Re-Zoning and recommended the approval of the zone change.

Paul Cozzens made a motion to approve zone change from Residential ½ Acre (R½) to Residential 4000 Square Feet (R4K) as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens. Aye; Marilyn Wood, Absent.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL A PROPOSED ZONE CHANGE FROM INDUSTRIAL (I) TO AGRICULTURE 20 ACRE (A-20).

APPROXIMATELY 155.57 ACRES, WITHIN THE NE ¼ SECTION 11, T36S, R13W, SLB&M, IRON COUNTY, UT, LOCATED NEAR 530 N BUFFALO ROAM RD, SOUTH OF DESERT MOUND ROAD AT APPROXIMATELY 10300 W, CEDAR CITY

Applicant: Spencer Bowman

Reed Erickson, Iron County Planner, explained that there was Bureau of Land Management (BLM) property on the east and south, and private property on the west and north. The property was surrounded by Industrial zoning. The owner of the property had begun construction of a residential building and was currently in violation with no building permit in an Industrial zone. This was an attempt to bring him into conformance by rezoning the property. Discussion continued regarding the possibility of a minor subdivision in the future. Reed reported that Services available were: Water-private well (non-public water system), Sewer-individual Septic's, and other utility services were unknown. The property could also have a consideration of the Industrial Protection Area.

Michael Bleak, Iron County Commission Chair, declared a public hearing open regarding a proposed zone change.

David Johnson, Iron County Economic Development, noted that he was neither for nor against this zone change. He stated that there should be caution of unintended consequences of Residential (R-20) development along a railroad and an Industrial zone. David explained that he had worked in communities where residential was built in an industrial area and it had caused issues.

Michael Bleak, Iron County Commission Chair, declared the public hearing closed.

Reed Erickson explained that after review of criteria evaluation of consideration of a zone change, the ICPC recommended the approval of the zone change.

Paul Cozzens made a motion to approve a proposed zone change from Industrial (I) to Agriculture 20 Acre (A-20) as presented by Reed Erickson. Second by. Voting: Michael Bleak, Aye; Paul Cozzens. Aye; Marilyn Wood, Absent.

Commissioner Cozzens reported that others in Iron County, at times, had built residential buildings without a building permit and the owners had criticized Iron County for enforcing the building permit law. Paul wanted to remind the public that the building permit was a law of the State of Utah, not Iron County. Iron County was a subdivision of the State of Utah and they required the municipalities and Iron County to enforce the uniform Building Code. If someone were to build a structure in Iron County they must have a building permit.

PUBLIC HEARING, DISCUSSION ON A PROPOSED GENERAL PLAN TIER CHANGE (TIER II TO TIER IV) AND ZONING MAP AMENDMENT (R-1, R-2, AND A-20 TO R-5, RA-20, AND A-20) FOR PROPERTIES CURRENTLY IN THE KANARRAVILLE TIER II URBAN EXPANSION AREA. NO ACTION PROPOSED

Reed Erickson, Iron County Planner, noted that this initiative had been discussed for many years in the Planning and Building & Zoning Departments trying to update and establish proper planning in relation to some of the historical land uses. This was a Kanarraville Tier II Area Planning, General Plan Amendment. Reed reported on the Tier II Historical Review:

Zoning around each municipality by a block of property and zoned it residential in 1980. In 1995, the General Plan was adopted and included the tier system. The Tier System was to identify the municipalities to be Tier 1, and Tier II would be the growth area, called the “Annexation Policy Plan” at that time. Subdivision regulations were revamped in the year 2000. In 2005, there was a major General Plan Amendment that created communities in Tier 3, if they could provide their own infrastructure and urban density level of infrastructure requirements, common public water systems, sewer systems, and road infrastructure. Reed continued to explain the Tier System. He reported that the Kanarraville Tier II boundary was established in 1995. Reed reported that the Planning and Building & Zoning Department agreed to assist Kanarraville to clean up their boundary lines. They had gone around town and identified where the properties were, which ones could come in, and which ones could go out, which would help property owners. Kanarraville was currently working on amending their Annexation Policy to include the new boundary lines. The Central Iron County Water Conservancy District (CICWCD) and Cedar Valley performed a Septic Density Study county wide in 2005. The study recommended 425 septic’s areas based on a density of 12 acres per septic and each groundwater contamination acceptability would go to 3.5 milligrams per liter. Kanarraville had 498 lots, which could utilize 425 septic system before they would reach that unacceptable contamination level. He noted that the CICWCD was established in 2005 to look at the groundwater and developing water systems for the unincorporated areas and help serve and manage the groundwater. Jon Whittaker, Iron County Clerk, asked if the boundary change would affect who got a ballot in a municipal election. Reed replied that with the boundary change some would be in the city and some in the county.

Michael Bleak, Iron County Commission Chair, declared a public hearing open regarding a proposed General Plan Tier change.

No public comments were offered.

Michael Bleak, Iron County Commission Chair, declared the public hearing closed.

Reed explained that there had been discussions with Kanarraville Town, and there was a town meeting set to meet with them, but they canceled their meeting, and rescheduled that for the 24th. He would be making sure that the residents were comfortable and understood what was happening and how it would impact them.

PUBLIC COMMENTS

No Public Comments were offered.

RECAP OF THE 2024 LARRY H. MILLER SUMMER GAMES AND A PREVIEW OF UPCOMING PROJECTS FOR 2025

Jonathan Oglesby, Utah Summer Games Director, expressed his appreciation to commissioner and Iron County for the success of the Utah Summer Games (USG). The Annual Report was still being worked on and he would send those out as soon as it was completed. Jonathan noted that his comments today come from a place of gratitude and appreciation for the support from Iron County for the USG. He explained that Maria Twitchell, Executive Director of the Cedar City-Brian Head Tourism Bureau, was actively included on every event discussion. He expressed his appreciation to Maria Twitchell, and could not speak enough about the quality of work Maria and her teams’ great help to the USG. Mr. Oglesby reported that Maria and her team were on virtually every decision made in terms of the calendar, working with local hospitality partners, scheduling events, and the type of events. He reported that the 2024 USG had concluded. There were approximately 10K unique participants (registered in multiple events) and over 12K participants, which was up 13% from 2023. There was growth in team events and over 24% growth in High School Basketball alone. This growth led to approximately a 14% growth in weekend occupancy in hotels. He reported that he had been challenged by Maria and the municipalities to add events in the off-season. He was happy to report that there would be events held from July 2024 to June 2025, with no events being held in October and January. Mr. Oglesby noted that the USG had expanded their relationship with the Utah High School Activities Association (UHSAA) which was allowing the USG to host the State Football and

Basketball games. He reported that if the facility scheduling worked out, the USG would be hosting the State Cheerleading competition under the UHSAA. The USG were hosting a High School Drill Team event in the middle of December which included 28 drill teams across the state. In February, the USG would be working with the UHSAA with basketball through September. New events beginning with the 2025 USG were: 7x7 football, girls' flag football, and youth football. Growth in mid-week events. He noted that they were working on driving growth in midweek (Monday, Tuesday, and Wednesday) events during the USG. This year there was a 10% midweek increase, which was very positive. Jonathan expressed his appreciation for the relationships with Cedar City, Cedar City Council, Cedar City Mayor, City Manager Bittman, Parowan City, Enoch City, Enoch Manager Dotson, and the citizens of Iron County for their continued support. Commissioner Bleak reported that the USG had been a staple of the community since 1980, and it was something that we could not afford to lose. Experiencing the rejuvenation of the last year and a half, under the leadership of Jonathan Oglesby, had been fantastic. Mr. Oglesby thanked Commissioner Bleak and noted that he failed to mention the Summer Games partnership with Utah Special Olympics which was going to yield a great deal over the next couple of years.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSAL FOR SPECIAL INSPECTION AND MATERIALS TESTING PROPOSAL FOR THE NEW IRON COUNTY JAIL FACILITY

Jon Whittaker, Iron County Clerk, reported that a Request for Proposal (RFP) for a Special Inspection and Materials Testing for the new Iron County Jail was sent out. The RFP was for services beyond what the Iron County Zoning Department was equipped to do. Jon reported that GEM Engineering responded very thoroughly to the RFP, which was very demanding and were offered the contract.

Paul Cozzens made a motion to approve the Proposal for Special Inspection and Materials Testing Proposal Contract be awarded to GEM Engineering, Inc. for the new jail. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens. Aye; Marilyn Wood, Absent.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED AMENDMENT TO THE SUBDIVISION CONSTRUCTION AND DESIGN STANDARDS – SHEET NO. 2, FLOOD CHANNEL SETBACK STANDARDS, PAROWAN CREEK

Richard Wilson, Iron County Engineer, explained that this information comes from past efforts made by the National Resources Conservation Service (NRCS) funding events for any type of flooding that comes out of the channels. Ongoing projects were under way in Cedar City, Parowan, and Summit. This item was particular to Parowan Creek. Richard reported that one question that came up at the Iron County Planning Commission (ICPC) meeting was regarding the amount of water that comes out of Parowan Canyon and had there been an event like this before. He gave an example of the 2021 flood that came out of Coal Creek and into the Stevensville Ditch. The term "100-year floods" had come up many times in discussions. The 100-year flood meant there was a one in a hundred chance (1% chance) that that was going to happen. Richard explained that to determine the water that comes down, for example Cedar Canyon, was a process of calculation of square miles of storm basin. Cedar Canyon had 88 square miles of storm basin and everything that fell into it ended up in Cedar City. He noted that the 1% chance, in any given year, was 5200 cubic feet per second (CFS). The 2021 flood was 2200 CFS, which was less than half of the 100-year event. Richard reported that this information was calculated based on the same possibility of what would come out of Brain Head, down the Parowan Canyon and end in the Parowan Creek. From the edge of the Iron County/Parowan City boundary the Parowan Creek setback was based on the 2023 Flood Prevention channel width recommendations from Bowen Collins, who conducted the study. Until Parowan City adopted the same Iron County Setback Ordinance for the north side of the channel, the burden was on Iron County to require sufficient setback for the protection of habitable dwellings and channel maintenance. Richard continued to explain the type of events that could happen and needed to be

planned and prepared for Parowan Creek. In order to handle and protect Parowan, the top of the channel needed widened to 100 feet. He noted that an ordinance needed to be in place for setbacks. If the channel was built properly, it would save Parowan from catastrophic flooding. Discussion continued regarding types of events, handling the flow capacity by depth or width, widening of the Parowan Creek, and setbacks.

Reed Erickson reported that after review of criteria evaluation of consideration of the Subdivision Construction and Design Standards – Flood Channel Setbacks, the Iron County Planning Commission recommended the approval of the amendment.

Paul Cozzens made a motion to approve the proposed Amendment to the Subdivision Construction and Design Standards as presented by Richard Wilson. Second by Michael Bleak. Voting: Michael Bleak, aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

RESOLUTION 2024-9, APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE ANNUAL UTAH COUNTIES INDEMNITY POOL (UCIP) ANNUAL MEETING TO BE HELD NOVEMBER 22, 2024

Jon Whittaker, Iron County Clerk, explained that there was a Class 3 Representative up for vote this year on the Utah Counties Indemnity Pool (UCIP) board. Jon noted he would be willing to continue as a UCIP Representative and Jennifer Bradbury as an Alternate Representative.

Paul Cozzens made a motion to approve Resolution 2024-9 appointing Jonathan Whittaker as a Representative and Jennifer Bradbury as an Alternate Representative for the UCIP meeting to be held November 22, 2024. Second by Michael Bleak. Voting: Michael Bleak, aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

IRON COUNTY RESOLUTION 2024-9

A RESOLUTION OF THE IRON COUNTY COMMISSION APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL ANNUAL MEMBERSHIP MEETING.


Whereas, the Governing Body of Iron County, Utah, is the proper authority to appoint a qualified person to act as the official representative for Iron County at the Utah Counties Indemnity Pool Membership Meeting to be held on November 22, 2024; and

Whereas, the Governing Body of Iron County, Utah, has been informed that the By-laws of the Utah Counties Indemnity Pool require that the official representative and an alternate representative for Iron County must be an elected or appointed officer or employee of a Member and must be appointed by majority vote of the Governing Body of the Member to be the Member’s official representative for the purposes of the Pool.

Now, Therefore, be it hereby resolved that the Governing Body of Iron County, Utah, hereby appoints Jonathan T. Whittaker as the official Iron County Representative for the Utah Counties Indemnity Pool Membership Meeting to be held on November 22, 2024, with Jennifer Bradbury as an alternative representative.

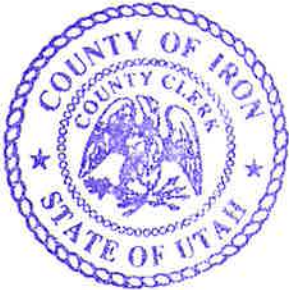
RESOLVED, ADOPTED, AND ORDERED this 14th day of October, 2024.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Michael Bleak - Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



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

DECLARATION OF INTENT TO INCREASE PROPERTY TAXES ON THE IRON COUNTY GENERAL FUND LEVY, DOLLAR AMOUNT OF INCREASE, EXPRESSED PURPOSE FOR INCREASE, AND APPROXIMATE PERCENTAGE OF THE INCREASE

Michael Bleak, Iron County Commission Chair, reported that this item was for a Declaration of Intent only. There would be no public comments and no action taken. Commissioner Bleak read Declaration of Intent. "1. Iron County is intending to increase the General Fund Property Tax Rate. 2. The dollar amount of the increase per year will be \$1.2M. 3. The purpose of the proposed increase is due to the growing community and the need to enhance and expand essential services that support the safety, well-being, and quality of life for all residents. First. With our population steadily increasing, there is a greater demand for public services including law enforcement and legal services. Second. Inflation has significantly impacted operational costs across the board, from personnel to equipment and insurance. The last time Iron County did a tax increase in the General Fund was in 2003. In order to maintain and improve the quality of services we provide, it is necessary to adjust this funding source. The approximate percentage of increase on the Iron County General Fund tax rate is estimated to be 19.5 percent. This is only on the county portion of the property taxes. In relation to property taxes as a whole, this is about a 2 percent increase. On the average home in Iron County, this is a \$35.60 increase per year." Mike reported that there would be more information forthcoming, public hearings, etc. with that moving forward

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION (BOE)

Michael Bleak, Iron County Commission Chair, declared the convening of the Iron County Board of Equalization (BOE).

REQUESTING REVIEW AND POSSIBLE APPROVAL OF THE BOE HEARING OFFICER RECOMMENDATIONS FOR VALUATION APPEALS FILED FOR THE 2024 TAX YEAR

Carrie Christiansen, reported on the recommendation for Valuation Appeals filed for the 2024 Tax Year. Carrie noted that there were 818 appeals this year for the BOE board. Of the 818 appeals, there were 777 adjustments for a total of \$35,771,623 in value adjustments. The taxable adjustments for this year, for those appeals, were \$33,952,310 of taxable value adjustments. She reported that for the purposes of the Iron County General Fund, the impact to the General Fund for taxing was \$36,532.69 and Municipal Services was \$5,875.66 for a total adjustment of \$42,408.34 in taxable tax revenue from these appeals. Commissioner Bleak expressed his gratitude to Carrie for amount of work and time that she puts in. Carrie's efforts had not gone unnoticed.

Paul Cozzens made a motion to approve the BOE Hearing Officer recommendations for Valuation Appeals filed for the 2024 tax year. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

RECONVENE AS THE IRON COUNTY COMMISSION

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

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

Michael Bleak, Iron County Commission Chair, declared the convening of the Iron County Community Development and Renewal Agency (ICCD&RA).

**DISCUSSION AND OF PROPOSED SOLAR AND BATTERY PROJECTS AND
POSSIBLE OF APPROVAL OF REIMBURSEMENT AGREEMENTS**

Adam Long, ICCD&RA Counsel, explained that there were a total of five projects that were proposed, and four of them were adding battery storage to the existing solar projects. These 4 solar projects had already been built, were operating, and paying taxes. The proposal here was to add batteries to these projects. The 5th project would be a new ground-up project called Antelope Springs and was located approximately 10 miles from Newcastle with solar and potentially battery storage. Adam reported that the first four projects were owned by Clearway Energy, a large renewable developer, and the fifth project was owned by Bright Knight Energy. Three of those projects would be fairly simple by adding batteries within the existing project area boundaries. From a tax identity perspective it added higher taxable value. Adam reported that typically with these, they asked the developers to agree to cover the cost of the setup and expenses for creating these projects, doing these agreements. The goal here was that the ICCD&RA would not bear the initial costs. These agreements have the developers make a deposit to the agency. The agency then pays the expenses, mostly Adam's fees, out of that deposit. The intention was that it covered all the expenses involved. If it did not, the agency would go back to the developer and tell them that they needed to refresh this. Adam introduced David Johnson, Cedar City-Iron County Economic Development Director, and Nathan Runyan, Legal Counsel for Clearway, who were in attendance.

Jon Whittaker asked whether the value of the battery storage systems would be new incremental growth and would that growth be based on the base value when the project was begun or does that reset. Adam Long replied that three of them where the battery storage containers, for lack of a better word, were within existing project area boundaries. That taxable value would get captured by the existing Interlocal Agreements. The preliminary request from Clearway was to collect the incremental value from those battery systems on the same terms as the existing Interlocal Agreements. Discussion continued regarding the battery only proposals and boundary amendments. Adam reported that they would do whatever was easiest for Iron County.

Nicole Rosenberg, Iron County Treasurer, asked if this was not going to change the percentage as far as the reimbursement. Adam Long replied that that was correct. The batteries were great from a tax perspective because they were very value dense. Jon noted that these solar farms covered a handful of acres and three of the projects were looking at a capital investment of approximately \$145M and were they contemplating depreciation. Adam replied that they depreciate on the same schedule as the solar panels for different tax purposes. Nicole asked that when Clearway reported on their personal property would they include that additional value for the battery. Adam Long replied that it would be a separate LLC that owned the batteries and it would still be taxed. Jon Whittaker asked whether any of the tax areas would change. One project would potentially have a boundary trade, or a small additional project tax area, and the fifth project would be a new project. Adam replied that those were all correct.

Paul Cozzens made a motion to approve the Solar and Battery Projects and possible approval of Reimbursement Agreements as presented by Adam Long. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

RECONVENE AS THE IRON COUNTY COMMISSION

Michael Bleak, Iron County Commission Chair, declared the resumption of the Iron County Commission.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the promotion of Dallin Brooks from a Seasonal Law Clerk to a Full-Time Deputy Attorney 2 in the Attorney's Office, effective September 29th. This was a backfill of a vacant position; the promotion of Brandon Rowley from a Full-Time Deputy 1 to a Full-Time Deputy 2 for the Sheriff's Office, effective October 13th; the re-hire of Hunter White as a Full-Time Landfill Technician, effective October 13th. Newly approved position; the new hire of Laurice Ellsworth as a Full-Time USU Extension Assistant, effective October 21st. 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 Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

Jennifer presented the Presentation/Proposal for approval of the Employee Insurance Benefits for the 2025 plan year. Jennifer explained that, unfortunately, this was one of those years for an increase in Insurance Premiums. She reported that reasons behind the premium, were the impact of inflation and the high cost illness claims. Unfortunately, the total cost increase for the 2025 year was \$498,939 and it was an additional cost. She explained that part of that previous mentioned cost, was a result of inflationary pressures to the insurance market, as well as high cost from prescriptions and claims from some ill employees in Iron County. Nationwide, inflation continued to increase costs including health care and insurance premiums. Jennifer noted that there was a rise in high cost claims within Iron County due to critical illnesses, as well as high cost insurance claims. These represent a significant impact on the local Insurance Pool. She reported that the Iron County Insurance Committee met twice and after careful consideration and discussion, the committee unanimously agreed to maintain the current insurance plan. This was very important for the well-being of Iron County's employees and their families. It provided critical coverage, and any reductions could negatively affect both the employees' health needs. Changing the plan would disrupt the continuity of care and potentially create a confusion or dissatisfaction with employees. Jennifer reported that the brokers had reached out to several insurance companies. There were only two that looked at the plan and both gave an astronomical number, and the others who had been contacted declined to give a quote. Commissioner Bleak reported that Iron County had been very fortunate in years past, and knowing that at some point it was going to have to catch up. Mike expressed his appreciation for Jennifer and the Insurance Committee for all the hard work, and hours that they put in.


Paul Cozzens made a motion to approve the proposal for the Employee Insurance Benefits for the 2025 plan year that had been outlined in Jennifer's report. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Absent.

NON-DELEGATED ITEMS

No Non-Delegated items were offered.

ADJOURNMENT

Michael Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael Bleak, Chair


Attest: Jonathan T. Whittaker, County Clerk

