

**IRON COUNTY COMMISSION MEETING  
FEBRUARY 10, 2025**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 10, 2025 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Paul Cozzens	Commission Chair
Michael Bleak	Commissioner
Kenneth Robinson	Commissioner
Jonathan T. Whittaker	County Clerk
Sam Woodall	County Deputy Attorney

Also present:

Karsten Reed	County Assessor
Chad Dotson	County Attorney
Lucas Little	County Auditor
Ken Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer
Richard Wilson	County Engineer
Wendy Jessen	CJC Director
George Colson	Emergency Manager
Jennifer Bradbury	HR Director
Lori Eichelberger	Justice Court Administrator
Reed Erickson	County Planner
Jaden Thomas	Victim Advocate
Paul Monroe	CICWCD General Manager

Others in Attendance:

Mike Adams	Greg Anderson	Linda Anderson
Randon Anderson	Carol Barker	Brad Bentley
Michelle Brunson	Travis Brunson	David Burton
Mark Crandall	Joyce Evans	Mark Evans
Linda Hahne	Rachel Hunt	Caleb Lambert
Austin Leavitt	Berta MacGregor	Larry Pendleton
William Pressgrove	Julie Sanders	Heber B. White
Rosaleta White	Nina Wosnom	Lida Woznicki

**SYNOPSIS**

ADJOURNMENT ..... 16  
ANNEXATION REGARDING APNs: C-957, C-957, & C-970..... 15  
APPROVAL OF CLAIMS FOR PAYMENT ..... 2  
APPROVAL OF MINUTES ..... 2  
DEPARTMENTAL REPORTS..... 2  
INTERLOCAL AGREEMENT, IRON COUNTY JUSTICE COURT ..... 14  
INVOCATION ..... 2  
IRON COUNTY FAIRGROUNDS GENERAL PLAN CONTRACTOR ..... 15  
NON-DELEGATED ITEMS..... 16  
ORDINANCE 2025-3 (APNs: C-933-1 & C-933-8) CITY VIEW DRIVE ..... 12  
PERSONNEL ..... 16  
PLEDGE OF ALLEGIANCE..... 2  
PUBLIC COMMENTS ..... 15  
PUBLIC HEARING, GENERAL PLAN AMENDMENT ..... 11  
PUBLIC HEARING, ORDINANCE 2025-2 CODE AMENDMENT ..... 6  
PUBLIC HEARING, ZONE CHANGE (APN: D-531-2) ..... 9  
PUBLIC HEARING, ZONE CHANGE FROM A-20 TO LI ..... 12  
PUBLIC HEARING, ZONE CHANGE FROM R-1 TO R4K..... 9  
PUBLIC HEARING, ZONE CHANGE-TIER II URBAN EXPANSION AREA ..... 11  
TELECOMMUNICATION FRANCHISE AGREEMENT ..... 15

**INVOCATION**

An invocation was offered by Jon Whittaker.

**PLEDGE OF ALLEGIANCE**

Those assembled were led in the Pledge of Allegiance by Lori Eichelberger.

**APPROVAL OF MINUTES**

Kenneth Robinson made a motion to approve the minutes of the Iron County Commission meeting held on January 27, 2025. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**APPROVAL OF CLAIMS FOR PAYMENT**

Michael Bleak made a motion to approve Claims for Payment from January 27, 2025 to February 9, 2025. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**DEPARTMENTAL REPORTS**

Wendy Jessen, Iron County Children’s Justice Center (CJC), reported on statistics from the year 2024. There were 244 new cases opened. Out of that 244, 144 were female and 100 male; 226 forensic interviews; 62 medical exams, and 279 secondary victims served. Wendy reported that there were 133 cases of sexual abuse, 115 cases of physical abuse and/or neglect, 15 cases of domestic and/or family violence, 36 drug or other endangerment, 5 child pornography, 13 emotional/physiological violence, 3 sex trafficking, 1 labor trafficking, 4 custodial kidnapping, and 4 arson. She noted that cases often had more than one abuse type. Out

of the cases: 50 were children under 7, 72 children aged 7-12, and 122 children aged 13-8. Number based on race were 207 White, 16 Hispanic, 4 Black, 3 American Indian, and 14 multiple races. See reported on the Offender Demographics which were: 273 offenders-184 male, 83 female, 6 unknown. Of those offended 44 were mothers, 83 fathers, 19 were stepparents, 2 foster parents. 4 siblings, 6 parent's boy/girlfriends, 50 other known persons, and 65 were unknown or not specified. There were 226 interviews, 60 medical exams, and 131 contracted therapy sessions. Wendy noted that the CJC was halfway through the fiscal year 25 and was under budget in both the state and Victims of Crime Act (VOCA) funds. Grant applications would be due in the middle of March, moved from the previous month which was May. She would be requesting grants similar to the prior grant requests. Wendy reported that the CJC could now include secondary victims with VOCA and she would be expanding the request. Wendy noted that 12 members of the CJC team would be attending the International Symposium on Child Abuse in Huntsville, Alabama in May. Members that would be attending were 4 of the CJC Staff, one Law Enforcement (LE) Victim Advocates, 2 LE detectives from the Sheriff's Office, 2 from the Cedar City Police Department (CCPD), one from the Enoch PD, and the nurses that work with the CJC. They would be building a wall between the CJC building and the Enoch Park for safety measures, and a gate to lock at night.

**Chad Dotson, Iron County Attorney**, welcomed Commissioner Robinson to the Commission. Chad gave a summary of 2024. Cases were up by 400. One reason was because the Utah Highway Patrol (UHP) issued approximately 1,000 more citations than in 2023. Growth was contributing to the increase in prosecutor cases nationwide. He noted that many prosecutors were leaving the Attorney Offices for private practice. Chad reported that he attended the National District Attorneys Association in Washington DC last week and one discussion topic was the recruitment and retention of prosecutors. Finding attorneys who wanted to do this type of work was a challenge. Chad reported that the Attorney's Office ended the 2024 year under budget, which was good, but they did not have as many prosecutors. In 2024, Jessica Cramer, Attorney Victim Services Advocate, was assigned 393 victim cases. Jessica had a large caseload every year, and she was responsible for working with those victims, attending different hearings, preparing victim impact statements, and connecting them with available services. Jessica had never complained. As discussed with Lucas Little, Iron County Auditor, Chad would like to hire a part-time position to help Jessica because her workload was increasing and was demanding. There was a discussion regarding the case tracking system, and the assignments given to Mike Edwards, a recently hired contract Attorney, to help relieve work in the Justice Court. His experience and previous work with Iron County would be greatly appreciated.

**Lori Eichelberger, Justice Court Administrator**, reported on statistics from 2024. For 2024 they ended the year under budget at 93.23% and were currently down one full-time judicial assistant position. She noted that she would not be replacing that position until a later date. Two new judicial assistants were being trained and were doing well. Lori reported that there were 1,797 citations with the Cedar City Police Department (CCPD) which was down by 1,135 from 2023, 3261 with the Iron County Sheriff's Office (ICSO) up by 146, and 5018 with the UHP up by 1,055. She reported the Justice Court Monthly Recap from 2023 to 2024. There were 151 DUIs down 15 from 2023; 30 Impaired Driving DUI reduced up by 17; 727 Drivers License Violations down by 71; 8,123 Moving Violations up by 315; 2,613 Non-moving Violations down by 130, 84 Assaults up by 20; 146 Thefts up by 2; 446 Controlled Substance/Narcotics up by 95; 201 Domestic Violence down by 38; and 509 Other Misdemeanors/Infractions up by 164. Lori noted that Revenue collected was \$2,347,683, which was up by \$186,272; Revenue disbursed to the state was \$997,299 up by \$90,612; and Revenue retained was \$1,350,384 up by \$95,660. She noted that later on the agenda would be an Interlocal agreement regarding the Parowan Justice Court presented by Sam Woodall. Iron County would be prosecuting those cases. Lori reported that this agreement would not have much of an impact to the Justice Court workload at this time.

**Jaden Thomas, Victim Advocate,** reported that in 2024 the Iron County Victim Services served 393 crime victims. There were 151 domestic violence cases, 80 Adult physical and sexual assaults; 45 Stalking and harassment; and 70 Child physical and sexual abuse cases. Jaden explained that the majority of the Victim Advocate services provided were generally centered on providing information to crime victims about the general process, what to expect, how to access certain things, what their rights were throughout the process, advocating for whatever the client needs were, communicating with detectives and prosecutors, and making sure that their case was moving along as quickly as it could be, and nothing was falling through the cracks. He noted that January had been a busy month with critical incidents. In turn, it placed a high demand for emergency funds for financial assistance that victims were needing. Jaden reported that he would be asking for an increase in their emergency funds budget as part of the grant request this year. Savannah Gardner was the Victim Advocate assigned to the CCPD. She worked with all Iron County and Law Enforcement agencies in Iron County but was assigned to Cedar City. He noted that he had conversations with CCPD Chief Adams to slowly integrate Savannah into their department, which handled a large portion of the overall services provided, and might take about 2 years. Jaden reported that the department had a victim advocate intern through Southern Utah University (SUU) during the 1<sup>st</sup> and 2<sup>nd</sup> semesters. The intern would “job-shadow” with different projects. Grant solicitations had opened up for federal and state grants. They also use VOCA grant funding from the Utah Office for Victims of Crimes. He noted that VOCA was included in the Federal Grant Freeze. It would not affect the current grant cycle that he was applying for, but it would impact the next two years. By the beginning of June, he should have an idea of whether or not the applications had been accepted.

**Michael Bleak, Iron County Commissioner,** reported that he had met with the Southern Utah Veterans Association a couple of weeks ago for an update on their projects. He introduced some staff members from Congresswoman Maloy’s Office to the Veterans Association. The Veterans Association Veterans’ Center, which would be located on the north end of Enoch, continued to move forward. He noted that the group had a sign placed on the property announcing that it would be the future home of the Veterans’ Center. The Veterans Association was working with Congresswoman Maloy’s Office to obtain federal funding for the veterans programs and was optimistic about the project moving forward. Mike reported that the Transient Room Tax (TRT) board held their tax grant interviews and awarded approximately \$100K to different entities. He explained the TRT process and noted that small business grants were year-to-year grants. Mike participated in Small Business grant presentations through the Economic Development Committee for approximately \$60K, which comes from the state. Commissioner Bleak reported that he attended the Big Chamber Board meeting and was happy to announce the Big Chamber was growing and progressing toward being able to fund itself. Mike reported that he met with the UHP regarding the safety shift contract that Iron County awarded each year. Last year the grant was decreased from \$100K to \$25K. The UHP would conduct a study to analyze citations and cases from beginning to end to determine the economic impact on Iron County.

**Kenneth Robinson, Iron County Commissioner,** reported that he had the opportunity to attend County Day at the Legislature. He was able to speak with Senator Vickers regarding the activities he was involved with and his outlook on issues. He also met with Representative Rex Shipp and discussed the bills he was pushing through. Ken noted that it was great to meet many other commissioners from surrounding counties and begin to build a relationship with them. He reported that he met with Tracy Tabet the CJC Administrator for the State and worked out of the Attorney General’s Office. She was extremely complimentary of Iron County and the support for the Iron County citizens. She could not speak highly enough of the Iron County CJC and her experiences there. If the State of Utah was going to stay ahead in the race for energy and be in control, they absolutely needed to invest in, and develop, every opportunity that was available for energy and become national and world leaders in it. There were ample opportunities in Utah for multiple sources of energy. Ken reported that he attended the Iron County Planning Commission (ICPC) meeting on February 6th. It was a long meeting and he left at 11:05 pm and the meeting was still going. He expressed his appreciation to the ICPC board that was comprised by volunteers, to have sat there getting yelled at all night.

**Paul Cozzens, Iron County Commissioner,** reported that he also attended ICPC and agreed that it was a long meeting. One agenda item was the proposed mine in the Hamlin Valley/Modena area. This was a product with the energy sector tearing down coal plants. Coal plants created a product called fly ash that was used to make concrete. As a result of the coal plants being torn down, there was not enough fly ash. There was a mineral in the canyon that was a perfect match to fly ash. Russell Limb was proposing to improve nine miles of road by doubling the size, graveling it, keeping it moist through dust, and planning to mine 20-acre parcels at a time. It would be a mineral lease from the Bureau of Land Management (BLM). There was some debate on both sides of the issue on the item at the ICPC meeting. Paul expressed his appreciation to the ICPC board. The board members were all volunteers, and it was a thankless job. Commissioner Cozzens reported that the Sheriff's Complex continued moving and that he attended the weekly meetings by Zoom or in person. He received a distressed call from Ed Deffner, Sr. Product Manager with Layton Construction, regarding copper wire. The new administration and various tariffs that would be going into effect were causing some products to increase in price quickly. Wilkinson Electric, the Electrical Contractor on the Sheriff's Complex, suggested that Iron County approve the purchase of all the copper for the complex now, saving Iron County \$60K. Paul reported that, in full disclosure, the jail project was slightly over budget as a result of inflation and the fast-rising prices. He noted that the legislature was in session and he was monitoring several bills.

**Nichole Rosenberg, Iron County Treasurer,** reported that Senator Dan McKay was sponsoring Senate Bill (SB) 197 which would take away circuit breakers: SB 197, Section 59-2-919-1 Notice of property valuation and tax changes (4) (a) state, "Beginning in 2025, the amount of property tax relief available to property owners through the homeowner's credit program will be reduced each year by 20% and will no longer be available starting in 2030. However, you may be eligible to defer payment of this property tax if you are 66 years or older and meet certain income requirements." Iron County's circuit breaker was a tax relief to Iron County citizens who were 66 years and older, who made under \$40,000. Nichole explained that Senator McKay's plan was instead of forgiving or relieving taxes, to make them defer it. When they sell their home or pass away, their children would be left with that debt and 400 people in Iron County would go without medication and food so they did not pass that debt onto their children. Nicole continued to explain the impact this would have and how to get the information out. McKay said, "If one or two old people were living in a home of 3,000 square feet, which they were home rich, and they should not be staying in their home this long." Jon Whittaker, noted that this bill was pernicious. You do not say, oh, we're going to give you a tax rebate by taking away the equity in your home. For most of us, equity in our home is the main source of wealth. He reported that he had a conversation with Senator Vickers, and Senator Harper had proposed a bill that was a substitute that does, essentially, the opposite of SB 197. Nicole noted that the people in our county who were utilizing this program needed it.

**Paul Monroe, Central Iron County Water Conservancy District (CICWCD) General Director,** gave an update on the Pine Valley Water Project. Paul explained the financing/funding process that began in 2018 and was awarded financing from the United States Department of Agriculture (USDA) for \$19M, of which \$4M was granted and the rest was a loan with a low interest rate of 1.57%. The CICWCD was able to put 2 water lines in that helped loop the systems to transfer water throughout the valley. Construction would begin this week to place a large 24" line that would go to a 4M Gallon tank in the Iron Springs area. Paul explained the benefits of the large tank and how wells operated. Discussion continued regarding the tank, interconnections, and water pressure. Paul reported that the other part of that project was drilling additional wells, one in Basin 71. Part of the project was to extend the waterline to Novatec, and that line would be extended once more approximately halfway between Novatec and the Western Electrochemical (WECCO) division of AMPAC. The main objective was to supply water from Basin 71 to the Iron Mine, so Basin 73 would not dry out. He reported that the other part of this project was putting a new tank in Cedar Highlands and the contract was currently out to bid. Paul explained the CICWCD budget and how it worked with the loan. He noted that HB 81 – Fluoride Amendments, which would prohibit fluoridation in Utah's water systems, passed on the House

floor. Paul reported that there was no fluoride added in the Iron County water system that he was aware of. There was no fluoride within the municipalities in the district. He noted that fluoride does occur naturally in some instances but was very minimal and often non-detectable in the water that they sampled in Iron County. Paul reported that in years past there were a couple thousand acre-feet of water put in the ground for recharge, but because of the lack of precipitation this winter, they had not put one drop of water in the ground. Hopefully, there might be some change in the weather pattern. There had never been this least amount of water up on the mountain before. The last time Paul checked, snowpack was around 23%.

**Dan Jessen, Parowan City Manager**, reported that there would be an Open House on February 11<sup>th</sup> at 5:30 to discuss the details of a Parowan Valley water project, and at 6:30 for the new bridge project at the Parowan City Offices. The project was in the process of going out for bids. There was a great collaborative project with the city, Iron County, the local reservoir company, and the Parowan Pumpers Association. Dan explained that the project would take the current diversion located in Parowan Creek, just downstream from the bridge a couple hundred feet. They would then take that out and move that diversion up to the mouth of the canyon. Two pipelines would be installed. One of them would be the pipeline that received the reservoir company's water, which was the purpose of the existing diversion. A second pipeline would run approximately half a block down 300 East, across Center Street, and across the fairground parking lot. He noted that there had been a large project meeting every other week and there were five different sources of grants. This would be the first of many recharge projects. Discussion continued regarding the recharge project.

**PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF A PROPOSED IRON COUNTY CODE AMENDMENT-ORDINANCE 2025-2 “AMENDING SECTION 17.36.320, GENERAL REQUIREMENTS” REGARDING SEPARATION DISTANCES ASSOCIATED WITH THE R4K ZONING DISTRICT**

Reed Erickson, Iron County Planner, reviewed Iron County Code Section 17.36.320 – General Requirements regarding separation distances associated with the R4K zoning district. Reed noted that there was a challenge within the ordinance that they had not separated the types within the R4K zone versus townhouse lots, or single-family lots, and in the R-½ zone townhouse developments. Reed reported that under the amendment under Development projects/properties zoned R4K – (1) be at least five (5) acres and not more than twenty (20) acres in size, of continuous property, “and must be separated from another R4K project property as follows:

- (a) Single-family residential lot projects;
  - (i) New R4K project properties with single-family residential lots must be located at least 500 feet away from another R4K zoned single-family residential lots project property, or
  - (ii) separated from another R4K zoned single-family residential lot project property by a master-planned county road of 75 fee or 100 fee ROW width;
- (b) Townhouse lot projects;
  - (i) New R4K project properties with townhouse lots, or the portion of the property with the townhouse lots, must be separated by at least 1,000 feet from another townhouse lots of a different R4K or R- ½ townhouse project property, or
  - (ii) separated from another R4K project property by at least 500 feet, if only one of the project properties has townhouse lots.”

Discussion continued regarding townhouse lots size vs single-family lots sizes, separation distances from other R4K, separations from other townhouses in R4K and R ½, parking and open space.

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open regarding a proposed Iron County Code Amendment, Ordinance 2025-2.

Rachel Hunt, a citizen of Iron County, expressed her appreciation to the commissioners for attending the ICPC meeting on the 6<sup>th</sup>. Rachel noted that, regarding the ordinance amendment, she was concerned about traffic, width of the roads, and separation effects. Rachel was concerned that this ordinance would change the entire 20-acres to R4K, which allowed

higher density. She explained that there was a gentleman who kept sheep on his property and he was going to sell the property. This ordinance would allow that property to become R4K, which opened the door for any developer to put in R4K.

Carol Barker, a citizen of Iron County, asked if Reed would clarify townhome lot distances between single-family lots. Reed Erickson explained the distances.

Mark Crandall, a citizen of Iron County, asked if the distances were measured from the center of the property or the closest boundary line. Reed replied that it was from the closest boundary line.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing closed.

Reed Erickson replied to Rachel Hunt's concern regarding adjacent properties being sold and turned to R4K. He explained that the adjacent property could not be another R4K without the separation that was previously reported.

Jon Whittaker, Iron County Clerk, asked Reed to explain why the ICPC differentiated between a single-family dwelling and townhouses regarding the setback requirement to other developments. Reed replied that Iron County did not want large clusters and sought to preserve more open space. Reed replied that they wanted to avoid large clusters of townhouse developments and have separation so there would be more open space between them. Discussion continued regarding the R4K zone. The new ordinance would help with traffic flow through the subdivision.

Kenneth Robinson made a motion to approve the Iron County Code Amendment-Ordinance 2025-2 as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

## **IRON COUNTY ORDINANCE 2025-2**

AN ORDINANCE OF IRON COUNTY, UTAH, MODIFYING SECTION 17.36.320 – GENERAL REQUIREMENTS (R4K), REGARDING SEPARATION DISTANCES ASSOCIATED WITH THE R4K ZONING DISTRICT, AND PROVIDING AN EFFECTIVE DATE.

**Whereas**, Iron County has determined in accordance with the desire to provide more opportunities in certain zones for higher densities and more affordable housing options, various provisions and regulations need to be amended 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 ordinance; and

**Whereas**, the Planning Commission of Iron County has held a duly advertised and noticed public hearing on the proposed amendments to the Subdivision Ordinance 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 Subdivision Ordinance.

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

**SECTION 1.** Within Section 17.36.320 – General Requirements, a portion of the Iron

County Code, shall be, and hereby is, identified and amended to read as follows:

**17.36.320 General Requirements.**

*Remainder of this section remains unchanged*

17.36.320 - General requirements.

Development projects/properties zoned R4K must:

1. be at least five (5) acres and not more than twenty (20) acres in size, of contiguous property, and must be separated from another R4K project property as follows:
  - a. Single family residential lot projects:
    - i. new R4K project properties with single-family residential lots must be located at least five hundred (500) feet away from another R4K zoned single-family residential lots project property, or
    - ii. separated from another R4K zoned single-family residential lot project property by a master planned county road of seventy five (75) feet or larger right-of-way width;
  - b. Townhouse lot projects:
    - i. new R4K project properties with townhouse lots, or the portion of the property with the townhouse lots, must be separated by at least one thousand (1000) feet from other townhouse lots of a different R4K or R-½ townhouse project property, or
    - ii. separated from another R4K project property by a least 500 feet, if only one of the project properties has townhouse lots;
2. provide central water with fire flow and central sewer;
3. have forty-five (45) feet minimum public street widths with curb, gutter and sidewalks, and comply with the asphalt paving and road requirements described in the Iron County Construction and Design Standards;
4. provide two off-street parking spaces on each lot and have additional common parking spaces for use of guests/visitors at a rate of two parking spaces for every ten (10) lots or portion thereof;
5. create at least two (2) ingress/egress locations;
6. provide at least 2500 square feet of outside storage area for every ten (10) lots, or portion thereof, within the project area;
7. provide at least 4000 square feet of common park space/playground area for each ten (10) lots, or portion thereof, within the project area, with a minimum of 0.5 acres for any one park/playground/open space area;
8. provide a developer commitment or insure the creation of a community organization such as a home owner's association (HOA) to operate and maintain community improvements such as private community facilities/buildings, public areas of parks and open space, private outdoor storage areas, and additional common parking spaces; and,
9. include a provision stated on the final plat that by means of a developer commitment or the creation of a community organization, such as a home owners association (HOA), that limits non-owner-occupied rental uses, whether short-term rentals or long-term rentals, to thirty-percent (30%) or fewer units in the subdivision, enforceable by any lot owner's private right of action



against the developer or community organization or other enforcement body for failure to enforce. This rental restriction may allow rental exceptions on an individual basis for up to two (2) years to account for sickness, military leave, and other factors, which exemptions must be counted toward the rental limit, but would not trigger a cause of action against the enforcement body. *Remainder of this Section remains unchanged*

**SECTION 2. 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 3. 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 10<sup>th</sup> day of February, 2025.**

BOARD OF COUNTY COMMISSIONERS  
IRON COUNTY, UTAH

By:   
Paul Cozzens, Chair

ATTEST:

  
Jonathan T. Whittaker, County Clerk



VOTING:

Michael Bleak              Aye    
Paul Cozzens              Aye    
Kenneth Robinson        Aye  

**PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM RESIDENTIAL ONE (R-1) TO RESIDENTIAL 4000 SQUARE FEET (R4K) FOR APPROXIMATELY 19.22 ACRES WITHIN THE SE ¼ SW ¼ SECTION 9, T25S, R11W, SLB&M IRON COUNTY, UT. LOCATED NEAR 4800 N TO 4950 N & 2700 W, CEDAR CITY, UT Applicant: BCN Real Estate, LLC, represented by Platt & Platt Engineering**

Reed Erickson, Iron County Planner, explained the reason for the requested zone change, which was specific to this property now zoned R-1 on the north, R½ on the west, and R4K on the south. Reed reported that there was a change regarding the zone after public input. Previously, the top 5 acres were proposed for R4K and the rest for R½. The recent proposal was to zone the entire property to R4K which would allow smaller single-family lots. Accommodations for drainage and additional off-street parking still needed to be reviewed. He noted that there would be no townhouse lots in this development. Reed explained how this subdivision would be

handled by Iron County and the developer. He presented the Project Overview. This property was within Tier II outside of Cedar City and Enoch Annexation Plans and the purpose was to allow residential use with small single-family lots. Services available: Water –CICWCD, Sewer-Cedar City Central Sewer, Other utility services in the area (Power, Gas, Communications, etc.), and Drainage/Flood provisions with retention basins and curb/gutter.

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open regarding a proposed Zone change.

Jon Whittaker, Iron County Clerk, reported that he had petitions opposing this zone change along with some letters sent by mail or email.

Mark Crandall, a citizen of Iron County, noted that with this zone change please hold the developer to this plan. Paul Cozzens replied that, as Reid mentioned, Iron County could not do that legally, but the motion could include that this zone change was based upon their intent.

Rachel Hunt, a citizen of Iron County, reported that she lived within 2,000 feet of this zone change. She was concerned that this zone change was not being planned correctly to preserve rural Iron County, if the developer could develop as he chose, and the change was being made without a plan. Mrs. Hunt noted that she had collected over 200 signatures, and more coming in, that opposed this zone change. Keep the R4K developments in the city not in the unincorporated areas of Iron County.

Travis Brunson, a citizen of Iron County, was concerned that the equity in his home and property would decrease and the rules of the property would change. As a citizen, he did not understand how this zone change would benefit him. A zone change should not be made for the benefit of the developer.

Lida Woznicki, a citizen of Iron County, was concerned with the increased traffic on Midvalley Road. She was adamantly opposed to townhomes because they bring the wrong type of renters.

Greg Anderson, a citizen of Iron County, noted that a developer would build all R4K he wanted if this zone was changed. The developer could submit a plan to the ICPC but was not obligated to follow that plan. Greg was surprised because this was supposed to be a public hearing where concerns could be voiced. At the ICPC meeting, all comments that had been shared were opposed to the zone change. He expressed his concern that the voices of the people were not being heard.

Berta McGregor, a Realtor, reported that townhouses usually sold for half of what was originally paid and most were foreclosures and short sales. There had to be a limit on the number of townhouses being built in this area because there was no real appreciation for them. The smaller lots take away from the rural area that people invested in.

Jon Whittaker, a citizen of Iron County, expressed his appreciation for the work done by Reed Erickson, the ICPC board, Rich Wilson, and Building and Zoning. Jon noted that he would like to figure out a way, when considering higher-density housing, to include transportation corridors and walkability to services.

Jon Whittaker, Iron County Clerk, reported that there were approximately 270 signatures on the petition. He then read public comments that were emailed by David Hulet and Penny Jones.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing closed.

Reed Erickson reported that after review and findings, the ICPC confirmed that the applicant was compliant with the Iron County Policy – Evaluation Consideration for Re-zone and recommended approval.

Michael Bleak made a motion to approve a Zone change from R-1 to R4K with consideration based on the proposal of single-family dwelling lots and not townhomes, as presented by Reed Erickson. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

**PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED GENERAL PLAN AMENDMENT-TIER CHANGES, TIER II TO TIER IV AND TIER IV TO TIER II, FOR PROPERTIES CURRENTLY IN THE PAROWAN AND PARAGONAH TIER II URBAN EXPANSION AREAS. PROPERTIES LOCATED WITHIN SECTIONS 28, 29, 31, 32, & 33, T33S, R8W; SECTIONS 4-7, 18, 30 & 31, T34S, R8W; SECTIONS 1, 2, 8-17, 25, 27, 29 & 36, T34S, R8W; SECTION 1, T35S, R9W, SLB&M, IRON COUNTY UT**

Reed Erickson, Iron County Planner, presented the Historical review of the General Plan Amendment and clarified the Tiers in Parowan and Paragonah. Reed explained the Geological Utah Geological Survey Septic Tank Density Analysis. One item listed in the study was that Iron County would initiate tier changes and zone changes be commensurate with municipalities' growth areas and the land development patterns at that time and what had been seen since then. The philosophy and the idea behind them was to concentrate growth first in Tier I, then Tier II, in Tier III, and the Tier IV area was the area that would not anticipate growth. Reed explained the Tier system and the primary focus on septic density.

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open regarding a proposed General Plan Amendment.

Mark Evans, a citizen of Iron County, asked how many animals could be in a feedlot under Tier IV. Reed replied that it was based on 999 animals and zoning. All existing uses were grandfathered in.

Austin Leavitt, a resident of Paragonah, asked for clarification on Scottsville Subdivision. Reed replied that Scottsville Subdivision was a preexisting subdivision and was in a tier 4 area. These changes would have no impact in that area.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing closed.

Kenneth Robinson made a motion to approve an Iron County General Plan Amendment-Tier Changes as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF PROPOSED ZONE CHANGES, PAROWAN: R-½, A-20, C & LI TO R-5; R-½, R-5, & A-20 TO RA-20. PARAGONAH: A-20, R-1 & R-½ TO R-5; A-20 TO RA-20 FOR PROPERTIES CURRENTLY IN AND AROUND THE PAROWAN AND PARAGONAH TIER II URBAN EXPANSION AREA. PROPERTIES LOCATED WITHIN SECTIONS 28, 29, 31, 32 & 33, T33S, R8W; SECTIONS 4-7, 18, 30 & 31, T34S, R8W; SECTIONS 1, 2, 8-17, 20-25, 27, 29 & 36, T34S, R9W; SECTION 1, T35S, R9W, SLB&M, IRON COUNTY, UT**

Reed Erickson, Iron County Planner, explained the purpose of the zone changes within the Tier II Urban Expansion area in Paragonah and Parowan City to R-5 and RA-20. Reed noted that this agenda item was continued from the previous commission meeting.

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open regarding proposed Zone changes around the Parowan and Paragonah Tier II Urban Expansion Area.

No Public Comments were offered.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing closed.

Reed Erickson, reported that after review and findings, the ICPC confirmed that the zone change was compliant with the Iron County Policy – Evaluation Consideration for Re-zone and recommended approval.

Michael Bleak made a motion to approve the proposed Zone changes in and around the Parowan and Paragonah Tier II Urban Expansion Area as presented by Reed Erickson. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM AGRICULTURE 20 ACRE (A-20) TO LIGHT INDUSTRIAL (LI) FOR APPROXIMATELY 269.28 ACRES WITHIN SECTIONS 10 & 15, T36S, R12W, SLB&M. APNs: E-175-1, E-175-2, E-175-3, E175-4, E-175-5, E175-6, E-175-7, E-175-8, E175-9, E-175-10, E-175-10, E175-11, E-175-12, E175-13, E-175-180 & E-1083, LOCATED NEAR SR 56 TO 600 N AND 6100 W TO 6100 W 6900 W, CEDAR CITY, UT**

**Applicant: Diamond S Holdings, represented by Go Civil Engineering**

Reed Erickson, Iron County Planner, explained the proposed use of the requested zone change to LI was for 5+ acre lots. The property was adjacent to Commercial (C), Light Industrial (LI), and A-20 zones. It was outside Tier II and within the Cedar City Annexation Expansion Plan. Services available were water from the CICWCD Silver Hills Subdivision; Sewer-Cedar City Central Sewer or septic systems; other utility services in the area (Power, Gas, Communication, etc.); and Drainage/Flood provisions with retention basins and on-site retention.

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open regarding a proposed Zone change.

No Public Comments were offered.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing closed.

Reed Erickson, reported that after review and findings, the ICPC confirmed that the applicant was compliant with the Iron County Policy – Evaluation Consideration for Re-zone and recommended approval.

Kenneth Robinson made a motion to approve the proposed Zone Change from A-20 to LI as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE 2025-3 (PUBLIC HEARING HELD PREVIOUSLY), A VACATION OF ANY PUBLIC ROADS, EASEMENTS, OR RIGHTS-OF-WAY (ROW) LOCATED ON A 1.80 ACRE PARCEL ADDRESSED AS 487 EAST CITY VIEW DRIVE, AND A 0.753 ACRE PARCEL ADDRESSED AS 539 EAST CITY VIER DRIVE, PAROWAN, UT WITHIN THE SW ¼, SE ¼, SE ¼ SECTION 13, T34S, R9W, SLB&M, IRON COUNTY, UT Applicants: Eric & Jacqueline Hasemeyer and Matthew & Susanne LeFevre**

Reed Erickson, Iron County Planner, noted that there had been a public hearing held regarding this road vacation and he was asked to return with an ordinance. Since that time, Richard Wilson, Iron County Engineer, had worked with Watson Engineering to prepare a legal description for the centerline as best identifiable by aerial surveys. The easement was granted on the eastern side, a lot-line adjustment changed the configuration, but the easement was never vacated or terminated. Reed explained that Iron County was vacating any interest in a part of City View Drive, specifically to vacate that portion that crossed two residential parcels. All ownership interest of real property associated with the vacated road/right-of-way across and over parcels C-933-1 and C-933-8 was determined to belong to the respective owners of the parcels.

Kenneth Robinson made a motion to approve Iron County Ordinance 2025-2 specific to vacating the Iron County portion by use as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

## IRON COUNTY ORDINANCE 2025-3

AN ORDINANCE OF IRON COUNTY, UTAH, VACATING THE COUNTY'S INTEREST IN A PORTION OF CITY VIEW DRIVE, A PUBLIC ROAD BY USE, ACROSS TWO PARCELS (C-933-1 AND C-933-8); AND PROVIDING AN EFFECTIVE DATE.

**Whereas**, Iron County has determined in accordance with Utah Code and the Iron County Land Management Code, that a petition has been filed with the Iron County to vacate and a part of City View Drive – specifically to vacate that portion that crosses two residential parcels; and

**Whereas**, the proposed ordinance is designed to implement the objectives of the County ordinances regarding vacating a public interest in a road that has been recognized as a “public road by use”; and

**Whereas**, the County Commission finds that it is in the best interest of the County after taking into consideration the citizens' health, safety and welfare, to vacate the county's interest in a certain portion the subject road; and

**Whereas**, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed partial road vacation and after considering the public comments, 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. Vacation.** Any Iron County interest held for the benefit of the public, in a portion of City View Drive over and across Parcels C-0933-0001-0000 & C-0933-0008-0000, is hereby vacated, the centerline of which being described as follows:

Beginning at a point N00°18'36"E 276.44 feet along the East Sixteenth Line from the Southwest Corner of the Southeast Quarter of the Southeast Quarter of Section 13, Township 34 South, Range 9 West, Salt Lake Meridian; said point being on the west line of Parcel C-0933-0001-0000; thence N55°01'25"E 350.84 feet more or less to the north line of Parcel C-0933-0008-0000 and Point of Ending.

**SECTION 2. Ownership Interest.** All ownership interest of real property associated with the vacated road/right-of-way across and over Parcels C-0933-0001-0000 & C-0933-0008-0000 (City View Drive) is hereby determined to now belong to the respective owners of said parcels.

**SECTION 3. Recording.** The county commission hereby directs that said action be recorded in the records of the Iron County Recorder, indicating approval of said vacation.

**SECTION 4. 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 10<sup>th</sup> day of February, 2025.**

BOARD OF COUNTY COMMISSIONERS  
IRON COUNTY, UTAH

By:   
Paul Cozzens, Chair

ATTEST:

  
Jonathan T. Whittaker, County Clerk



VOTING:

Michael P. Bleak       Aye    
Paul Cozzens          Aye    
Kenneth Robinson     Aye  

**REVIEW AND POSSIBLE APPROVAL OF AN INTERLOCAL AGREEMENT GOVERNING THE USE OF THE IRON COUNTY JUSTICE COURT BY PAROWAN CITY**

Dan Jessen, Parowan City Manager, reported that Parowan City had been considering this Interlocal Agreement for approximately 2 years and it would be on the next Parowan City Council agenda on February 13<sup>th</sup> for discussion. Dan noted that state law allowed cities and counties to have an Interlocal Agreement with Justice Courts. He stated that this Interlocal Agreement would not replace the Parowan City Justice Court. Dan explained that Parowan City was considering an Interlocal Agreement with the Iron County Justice Court. In approximately 95% of cases that went through the Parowan Justice Court, the defendants were from out of the city or state, and a majority of those cases were traffic tickets. Of the fees associated with the court, 70% of the fee revenue would go to Iron County and Iron County would handle prosecution and other fees. If the Interlocal Agreement was approved by Iron County and Parowan City, it would still need to be approved by the State Administrative Office of the Courts (AOC). Dan reported that the AOC, by statute, had a six-month window which they could require for the transition. Parowan City was requesting that the transition period be shortened to begin on July 1<sup>st</sup>. Dan spoke with Lori Eichelberger, Iron County Justice Court Administrator, and she said they could absorb the cases without the to expand the Iron County Justice Court operation. Discussion was shared regarding the retention of the current Parowan justice court judge. Dan disclosed that he was employed by Parowan City but there was no conflict associated with the agreement.

Michael Bleak made a motion to approve an Interlocal Agreement governing the use of the Iron County Justice Court by Parowan City based on the approval of the Parowan City Council as presented by Dan Jessen. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.



**DISCUSSION AND POSSIBLE CONSIDERATION OF A PROPOSED ANNEXATION INTO PAROWAN CITY CREATING AN ISLAND OR PENINSULA OF UNINCORPORATED PROPERTY. APPROXIMATELY 51.16 ACRES LOCATED WITHIN THE SE¼, OF SECTION 15, T34S, R9W, SLB&M, IRON COUNTY, UT (APNs: C-975-1, C-957 & C-970) Applicant: Prime West Development LC/Parowan City/Iron County**

Reed Erickson, Iron County Planner, explained that this annexation would create an island of unincorporated area that does not currently exist and the annexation agreement that was previously done. Reed reported that the recommendation from the ICPC was to consent to the annexation and recognize that the creation of that new island, as development would occur, would have to annex into the city to receive any services. This item does not require a public hearing and was presented for your evaluation and consent for the annexation.

Kenneth Robinson made a motion to approve the proposed annexation into Parowan City as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**PUBLIC COMMENTS**

William L. Pressgrove, a citizen of Iron County, expressed his concern that individuals with property should be able to do what they wanted on their own property without approval from the government. Mr. Pressgrove affirmed that United States citizens have “inalienable rights” and the Iron County Table of Uses infringed upon citizens’ inalienable rights. He recommended discontinuing the Table of Uses as listed in the Iron County Code.

**DISCUSSION AND POSSIBLE APPROVAL OF A TELECOMMUNICATION FRANCHISE AGREEMENT BETWEEN IRON COUNTY AND FIF, ST. GEORGE (DBA): INFO WEST**

Randon Anderson, representing InfoWest, noted that this was previously presented to the commissioners on July 22, 2024, and there were statutory concerns about who would be responsible for paying permit fees if InfoWest did work in Iron County. Randon explained that FIF would pay the permit fees. Sam Woodall, Iron County Deputy Attorney, reported that he looked at the franchise agreement, but did not remember if there was any conversation specifically about the permit fees. not concern. Discussion continued regarding the franchise fees.

Michael Bleak made a motion to table a Telecommunication Franchise Agreement between Iron County and FIF St. George (DBA): Info West as presented. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**DISCUSSION AND POSSIBLE APPROVAL TO HIRE ELLIOTT GROUP AS A CONTRACTOR TO DEVELOP THE IRON COUNTY FAIRGROUNDS 25-YEAR PLAN**

Richard Wilson, Iron County Engineer, corrected the name of the contractor as “Elliott Work Group.” Rich reported that a Request for Proposal (RFP) was sent out in October/November 2024 and four proposals were returned. He noted that the project was for the Iron County Fairgrounds to consist of a master plan that would serve as a foundational tool, guiding the fairground’s growth and improvements over the next 25 years. After the proposals were analyzed, Elliott Work Group was recommended to develop the 25-year plan. Rich reported that the budget was \$50K and the Elliott Work Group bid \$58K, which was the lowest bid submitted.

Jamie Evans, Iron County Fair Director, reported that the 25-year plan would help to improve the foot traffic flow throughout the fairgrounds. There was further discussion about the future outlook for the fairgrounds.

Kenneth Robinson made a motion to approve a contract with the Elliot Group as a contractor to develop the Iron County Fairgrounds 25-Year plan as presented by Richard Wilson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**PERSONNEL**

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Cody Murray as a Full-Time Fleet Mechanic in the Fleet Department, effective February 18<sup>th</sup>. This was a newly approved position; the new hire of Christopher Dahlin as a Full-Time Residential Appraiser in the Assessor’s Office, effective February 3<sup>rd</sup>. This was a backfill of a vacant position; the promotion of Cree Carter from Deputy 2 to Corporal and Anna Teeples from Deputy 2 to Deputy 3 in the Sheriff’s Office - Patrol, both effective February 16<sup>th</sup>.

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

Jennifer reported that the request for the FTO/Corporal restructuring would be presented by Iron County Sheriff Ken Carpenter and Lieutenant Shawn Peterson.

Sheriff Carpenter explained that there was a need to expand the number of Corporal positions to 3. He turned the time over to Lieutenant Peterson. Lieutenant Peterson explained that there was more work placed on the sergeants to do more administrative duties throughout the day which removed them from the field. We owe it to the community and deputies to have leadership out in the field. Currently, there was one sergeant and one corporal per patrol crew. Creating these new positions would allow the needed supervision in the field and sergeants would focus on their administrative tasks throughout the day. Lieutenant Peterson reported on the shifts and finances that were needed. Discussion continued regarding the restructuring.

Michael Bleak made a motion to approve the FTO/Corporal re-structure as presented. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**NON-DELEGATED ITEMS**

**COUNTY BOARDS:**

Economic Advisory Board.


Michael Bleak presented Amie Graf as a representative of Workforce Development and James Mullineaux as a representative of Southwest Technology to be appointed to the Economic Advisory Board.


Kenneth Robinson made a motion to appoint Amie Graf and James Mullineaux to the Economic Advisory Board. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

Michael Bleak reported that the Economic Advisory Board now constituted Mike Bleak, Molly Halterman, Amy Graf, Spencer Jones, Brent Drew, Joni Anderson, Brent Hauser, James Mullineaux, Jeffrey Chestnut, Ron Riddle, and Ben Johnson.

**ADJOURNMENT**

Paul Cozzens, Iron County Commission Chair, declared adjournment.

  
\_\_\_\_\_  
Signed: Paul Cozzens, Chair

  
\_\_\_\_\_  
Attest: Jonathan T. Whittaker, County Clerk

