

IRON COUNTY COMMISSION MEETING
JULY 28, 2025

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 28, 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

Also present:

Karsten Reed	County Assessor
Luke Little	County Auditor
Jared Wilson	County IT
Nicole Rosenberg	County Treasurer
Terry Palmer	Building & Zoning
Richard Wilson	Chief Engineer
Sam Woodall	Deputy Attorney
Jennifer Bradbury	HR Director
Amber Hatch	Weed Supervisor

Others present:

Jesse Bennett	Rand Bettridge	Sherri Carlson
Serena Close	David Dowsett	Adam Long
Gaylene Platt	Wayne Platt	Bruce Washburn

SYNOPSIS

ADJOURNMENT	15
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF LETTER OF AGREEMENT/ICCD&RA APPALOOSA SOLAR	13
APPROVAL OF LETTER OF AGREEMENT/TAXING ENTITIES APPALOOSA SOLAR ..	13
APPROVAL OF MINUTES	2
APPROVAL OF SETTLEMENT AGREEMENT/ICCD&RA WITH APPALOOSA SOLAR ..	13
DEPARTMENTAL REPORTS.....	2
DISCUSSION OF LETTER AGREEMENT/ICCD&RA WITH APPALOOSA SOLAR.....	13
DISCUSSION OF SETTLEMENT AGREEMENT/ICCD&RA WITH APPALOOSA SOLAR	13
INVOCATION	2
NON-DELEGATED ITEMS.....	15
PERSONNEL	14
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	10

PUBLIC HEARING, GENERAL PLAN AMENDMENT, TIER CHANGE	9
PUBLIC HEARING, ORDINANCE 2025-6, IRON COUNTY CODE AMENDMENT	4
PUBLIC HEARING, ZONE CHANGES, NEWCASTLE AND SUMMIT	10
RECOMMENDATIONS FOR ROLLCBACK APPEALS	14
RESOLUTION 2025-6,ADJUSTMENT OF PERS. PROPERTY, APPALOOSA SOLAR.....	11
RIGHT-OF-WAY AND EASEMENT GRANT, ENBRIDGE GAS UTAH.....	10
SPECIES MITIGATION WEED CONTROL GRANT (UDAF)	14
PUBLIC HEARING, ZONE CHANGES, NEWCASTLE AND SUMMIT	4

INVOCATION

An invocation was offered by Rand Bettridge.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by G'Ne Bartholomew.

APPROVAL OF MINUTES

Kenneth Robinson made a motion to approve the minutes of the Iron County Commission meeting held July 14, 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 April 14, 2025 to April 27, 2025. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

DEPARTMENTAL REPORTS

Jared Wilson, Iron County Information Technology (IT) Director, noted that the budget was on track. Work orders continue to keep IT employees busy with an average of approximately 330 per month. Jared reported that there were many conferences, and they were working to catch up with legislation, so they would be up to date. One of the important areas was data privacy, and something had to be in place by the end of December 2025. Jon Whittaker, Iron County Clerk, reported that he, Sam Woodall, Iron County Deputy Attorney, and Jennifer Bradbury, Iron County HR Director, had met to begin a process that would show the security improvements made by the end of the year. Hopefully, he would have a thorough report by the next commission meeting. There was a discussion regarding data security. Jared reported that the other important area was cybersecurity. This was a concern for everyone, and he would soon be implementing multi-factor authentication. While no one wanted multi-factor authentication, it was becoming necessary to implement it.

Nicole Rosenberg, Iron County Treasurer, reported that Product Sales collected since January 2025 were \$14,473,502.73, and funds distribution to Iron County were \$2,399,639.76. At Nicole's last report, the interest rate for the Public Treasures Investment Fund (PTIF) was 4.48%, and currently 4.47%, and there was \$1.3M in interest earned in PTIF. Nicole noted that Iron County invested additional funds in Moreton Asset Management a few years back, and their long-term rates were 4.67% with \$500K interest earned. Outstanding taxes were \$1.8M compared to \$1.6M in 2024. She reported that the Treasures employees had been working with the Fair to set up new merchants for the events and their ticketing. Melanie Hall, Chief Deputy Treasurer, was very involved with the Iron County Fair, and they kept her very busy at this time of the year. They were busy with personal property. Nichole Bess helped with getting the notices in the mail and working on values. Nicole reported that the Treasurer's budget was on track. The State Auditor's office came down and audited the Iron County offices. She hoped they would give some good recommendations. The Kimball & Roberts Iron County Audit went well. Nicole closed by

recommending a meeting with the commissioners to discuss the Redevelopment Agency (RDA) and new growth.

Kenneth Robinson, Iron County Commissioner, reported that he spent a day with Bruce Anderson, Iron County Public Works Director, taking a ride up Kanarra Mountain to listen to concerned landowners about the speed of side-by-side vehicles. He noted that Bruce was going to have some counters on the mountain to determine the actual traffic and an idea of how fast people were going. Ken reported that he spoke with Sheriff Carpenter about taking the Sheriff's side-by-side up during holiday weekends to make sure citizens were safe. The Division of Wildlife continued to trap the Utah Prairie Dogs in Parowan Valley.

Michael Bleak, Iron County Commissioner, reported that he met with the America250 Committee. They continued looking at different activities for each community to celebrate, which would be placed on the Tourism calendar. He was able to spend some time with department heads. Mike noted that he was involved in the interview for a new part-time position for Code Enforcement and a part-time Administrative Assistant. There were some good applicants, and the interviews went well. Commissioner Bleak took a personal moment to thank everyone who assisted in his care while dealing with the blood clots in his lungs. He expressed appreciation to the Cedar City Emergency staff, the Gold Cross staff who transported him to the St. George hospital, the nurses who worked in the ICU Unit, and the surgeons. As well as everyone who expressed concern and support. The problem was identified and hopefully solved, and he was healing and moving forward.

Paul Cozzens, Iron County Commissioner, reported that he received a call from Parowan Council member David Burton regarding the power company that was building a power line in Parowan Canyon. He was concerned they had run over fences on private property. Paul called Tom Heaton from Rocky Mountain Power and left a message. He reported that he was invited to Lincoln County, Nevada, by Varlan Higbee, a former commissioner in Lincoln County, to tour a project he worked on. The company was called SixCo, and they harvest Pinion and Juniper by shearing off the tops, putting them into a chipper, and using that material to generate electricity. Paul explained why the Pinion and Juniper trees were an invasive species and how it affects the watershed. This process was in the early stages, and it would be beneficial for Iron County to work with them. He reported that he would be attending the Utah Wool Growers Association Convention today, held at the SUU Mountain Center. Sheep producers continue to struggle with the demand for lamb increasing by 40%. The issue was that there were too many imports from Australia and New Zealand and were flooding the American market and hurting our sheep producers. Paul noted that he attended the weekly Jail construction meeting, and the project now had an official building permit, which would allow them to begin construction. Iron County was able to acquire permission from Horrocks Engineers to proceed to bore under the Union Pacific Railroad crossing by Intermountain Farmers (IFA) and get the sewer line in place for the jail. Commissioner Cozzens reported that he continued to attend the Cedar City Water Committee and the Central Iron County Water Conservancy District (CICWCD) regarding water procurement and exploration. He explained the water exploration and where the grant money would be used. Paul observed the Parowan recharge project and would be attending the Five-County Association of Governments (AOG) quarterly Aging Advisory meeting on the 29th. He announced that there would be a Mayor and City Council candidates debate held on July 31st at the SUU Great Hall at 5:30. Paul reported on complaints with the solar farms regarding grazing, and the commissioners discussed those issues and possible incentives.

Jon Whittaker, Iron County Clerk, reported that Morley & McConkie would be at the old jail performing an appraisal. Jon was working with staff to draft Public Infrastructure District (PID) best practices document. He reported that the Primary Election was underway and the ballots were mailed on July 22nd. One main question this year was where a voter could obtain information on the candidates. Voters could log onto www.vote.utah.gov, click on learn about the candidates, fill in the information listed and the candidates profile would be listed in your district only. Paul Cozzens reported on a rainstorm that hit Kanarraville.

**PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF A PROPOSED
COUNTY CODE AMENDMENT – ORDINANCE 2025-6, TO THE IRON COUNTY
LAND USE CODE-AMENDING SECTION 17.16.040 TABLE OF DITE
DEVELOPMENT STANDARDS; SECTION 16.20.070 SOIL SUITABILITY; SECTION
16.22.060 SOIL SUITABILITY; AND ADDING SECTION 16.04.065 LEASING OR
RENTING MULTIPLE SPACES ON A SINGLE LOT OR PARCEL.** Applicant: Iron
County

Reed Erickson, Iron County Planner, explained that this agenda item was brought back from the previous commission meeting, where there were some challenges with advertising. Reed reported this was advertised for the public hearing on the Iron County and State websites, and no changes were made. He explained the 3 areas that were being amended: 1. Reduce rear lot setback requirements in the Commercial Zoning District; 2. clarifying the requirements for subdivision soil suitability, and 3. facilitate the leasing and renting of space/property within a single lot or parcel without constituting a “subdivision.”

Paul Cozzens, Iron County Chair, declared a public hearing open regarding the Code Amendments.

No comments were offered.

Paul Cozzens, Iron County Chair, declared the public hearing closed.

Kenneth Robinson made a motion to approve the County Code Amendment-Ordinance 2025-6 as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

IRON COUNTY ORDINANCE 2025-6

AN ORDINANCE OF IRON COUNTY, UTAH, AMENDING SECTION 17.16.040 – TABLE OF SITE DEVELOPMENT STANDARDS AND SECTION 16.20.070 – SOIL SUITABILITY; SECTION 16.22.060 – SOIL SUITABILITY; ADDING SECTION 16.04.065 – LEASING OR RENTING MULTIPLE SPACES ON A SINGLE LOT OR PARCEL; AND, PROVIDING AN EFFECTIVE DATE.

Whereas, Iron County has determined in accordance with the desire to provide more development options in the commercial zoning district by reducing rear setback requirements; clarifying the requirements for subdivision soil suitability; and to facilitate the leasing and renting of property that is not a subdivision according to state law and county ordinance, various provisions and regulations need to be added, 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 Zoning 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 Zoning Ordinance.

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

SECTION 1. Within Section 17.16.040 – Table of Site Development Standards, a portion of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.16.040 TABLE OF SITE DEVELOPMENT STANDARDS

	ZONING DISTRICTS											
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2 ⁽²⁾	R4K	C	LI	I	I-A
Minimum lot width (feet)	300	300	200 ⁽⁶⁾	300	200	165	120	50	90	100	150	1,320
Minimum front yard setback (feet)	60	60	60	45	30	30	25	25	25	25	25	200 ⁽¹⁾
Minimum rear yard setback (feet)	60	60	60	45	30	30	25	15	10 ⁽¹²⁾	25	50	200 ⁽¹⁾
Minimum side yard setback (feet)	30	30	30	30	30	20	10	20 combine d (8 min. + 12)	10	20	40	200 ⁽¹⁾
Minimum side yard setback (corner lot) (feet)	30	30	30	30	30	30	25	25	NR	NR	NR	200 ⁽¹⁾
Minimum distance between buildings (feet)	15	15	15	15	15	15	15	10	NR	NR	NR	15
Maximum/minimum building height (feet/stories)	NR	NR	NR	30 ft. or 2 stories/ 1 story	3 stories / 1 story	3 stories / 1 story	NR	NR				
Minimum lot size (acres) ⁽¹⁰⁾	20 ⁽³⁾ (5)	20 ⁽³⁾ (5)	20 ⁽³⁾ (5)	5	2	1	1/2	0.0918 (4000 sq. ft.)	NR	NR	NR	80 ⁽¹⁾
Maximum total lot coverage (all buildings)	NR	NR	NR	5% ⁽⁹⁾	10%	15%	30%	75%	50%	50%	50%	NR
Accessory outside storage areas									(7)			
Outside and security lighting									(8)			

Notes:

(1) All uses and buildings located within the I-A zoning district, except for dwellings and accessory uses for dwellings, shall meet the minimum setbacks required for the I-A zoning district. Accessory uses and buildings in the I-A zoning district shall meet the minimum setbacks of the A-20 zoning district. The minimum lot or parcel size to be zoned I-A must be at least 80 acres, unless said lot or parcel is adjacent to another I-A zoned property that is at least 80 acres.

(2) The R-1/2 zone, where a "Performance Subdivision Option" is approved, shall incorporate minimum and/or maximum values for setbacks, lot sizes and widths, building separation and heights, and maximum building coverage as prescribed in [Section 16.23.040](#) (Development standards).

(3) If a lot or parcel of property is located within an A-20 or RA-20 zone and is less than twenty (20) acres, provided that the lot was legally created or existed prior to August 14, 2000, the lot or parcel shall be considered suitable for uses identified as permitted, administrative or conditional as set forth in the A-20 zone,; and provided that all listed uses (permitted, administrative and/or conditional) in the A-20 or RA-20 zone shall be considered conditional uses for lots or parcels in the A-20 or RA-20 zone and smaller than fifteen (15) acres, , subject to the following provisions:

- a. The requested use is allowed in the A-20 or RA-20 zone as a permitted, administrative land use, or conditional use;
- b. The requested use complies with the requirements for the A-20 or RA-20 zone with respect to yard requirements, setback requirements, height, buffer and landscape standards, and all other requirements applicable to the district are sufficient to permit the requested use, other than the minimum area requirement; and
- c. The requested use will not substantially impair or adversely impact the neighboring property owners, but if so asserted, or the planning commission believes that the requested use will negatively impact or impair a neighboring property owner, then the planning commission may impose such requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control and time limits, and other items for the conditional use permit as deemed necessary for the protection of adjacent properties and the public interest.

If the proposed use requested does not comply with the requirements of this title, or cannot be reasonably mitigated by the property owner, the planning commission shall deny the application. Upon finding that the proposed use, building or structure complies with the standards and requirements of this title, the requirements of the land management code, can be adequately serviced by the existing or proposed infrastructure, and the negative impacts can be reasonably mitigated, the planning commission shall authorize the conditional use permit.

(4) Accessory Building Setbacks and Separations. Unless determined otherwise by the county commission, accessory building setbacks shall be five (5) feet minimum for rear and side yard setbacks. Front yard setbacks are the same as for the principle building and accessory buildings may not be set closer to the front property line than the principle building. Accessory buildings may not be located in utility easements. Building separation distances for accessory buildings shall be regulated by the building code.

(5) For the purpose of calculating minimum lot size, one-half the width of public streets or rights-of-way along not more than two sides of the lot may be included if that public street or right-of-way is established in conformance with the Iron County transportation plan or the Iron County addressing coordinate grid system (i.e., along section lines, quarter section lines, etc. as commonly done with aliquot parts divisions). Such area of public streets and rights-of-way shall not exceed two (2) acres of the minimum twenty (20) acres required.

(6) Lot width for private lots in the RR-20 zoning district that do not have lot frontage on a public street shall consider the edge of the lot where the driveway enters the lot as the front of the lot.

(7) When located adjacent to any agricultural or residential district must be screened by a solid, non-landscape, fence or wall at least six feet in height.

(8) Lighting must reflect downward and away from adjacent agricultural and residential districts and structures.

(9) 5% (max. site coverage may be >5% for green-houses).

(10) Minimum lot size is used to calculate density and a lot may be less than the minimum acreage specified when various subdivision options are utilized.

(11) When an existing legal nonconforming lot or parcel is located in a zoning district that requires more acreage than the existing size of the nonconforming lot, setback and development standard requirements of the largest zoning district where the lot or parcel size would be conforming for size, may utilize the development standards of that smaller zoning district, unless the lot was created, or otherwise specified, through a performance, cluster, maximum density or similar subdivision option.

For example: if a 0.65 acre legal lot or parcel exists in the A-20 zoning district, setbacks of the R-½ zoning district may be applied, rather than requiring setbacks of the A-20 zoning district.

Development Standards of Zoning District	Applied to lots or parcels as follows:
R4K	< ½ acre
R-1/2	≥½ acre and < 1 acre
R-1	≥1 acre and < 2 acres
R-2	≥2 acres and < 5 acres
R-5	≥5 acres and < 10 acres
RA-20, RR-20, A-20	≥10 acres

(12) The required rear setback in the Commercial zoning district may be reduced to 10 feet when one or both of the following occurs:

- the rear lot or parcel line is the common property line of a public road right-of-way (city, county, state, or federal), or
- the rear lot or parcel line is the common property line of an established railroad right-of-way.

SECTION 2. Within Section 16.20.070 – Soil Suitability (Minor Subdivisions), a portion of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

16.20.070 – Soil Suitability.

Remainder of this section remains unchanged

A. Soils Suitability. A geotechnical report, prepared by a geotechnical engineer, identifying the suitability of the soils in the proposed subdivision for development and building construction. The investigation and report by the geotechnical engineer shall be sufficiently comprehensive to identify whether the soils have characteristics that make them susceptible to volumetric changes, shifting, collapse, hydro-compaction, subsidence, or other engineering geologic problems (e.g., gypsiferous soil and rock, liquefaction, shallow bedrock, caliche, wind-blown sand, and soils susceptible to piping and erosion). The report must assess such structural characteristics of the soil and identify specific mitigation measures to address any soil limitations. Standard professional care shall be exercised when investigating and reporting on soil suitability, including disclosure of any geologic hazards encountered.

A geotechnical report may be simplified and tailored to evaluate only the specific areas of a proposed subdivision where public improvements (e.g. roads, water, sewer, drainage, etc.) are required. If a minor subdivision does not require certain public infrastructure/improvements, the soils suitability report may address geologic hazards, general soils maps, and general site conditions only (without potholing or soil testing). The deferred testing requirements are justified in recognition that later geotechnical testing will be required for building permits.

Remainder of this section remains unchanged

SECTION 3. Within Section 16.22.060 – Soil Suitability (Road Dedication Subdivisions), a portion of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

16.22.060 - Suitability of the area for a road dedication subdivision.

In addition to the information required in Sections [16.22.040](#) and [16.22.050](#) of this chapter, the following information is required to be presented as part of the road dedication subdivision

application, necessary to establish the suitability of the site for the proposed road dedication. The cost thereof is the responsibility of the applicant.

A. Soils Suitability. A geotechnical report, prepared by a geotechnical engineer, identifying the suitability of the soils in the proposed subdivision for development and building construction. The investigation and report by the geotechnical engineer shall be sufficiently comprehensive to identify whether the soils have characteristics that make them susceptible to volumetric changes, shifting, collapse, hydro-compaction, subsidence, or other engineering geologic problems (e.g., gypsiferous soil and rock, liquefaction, shallow bedrock, caliche, wind-blown sand, and soils susceptible to piping and erosion). The report must assess such structural characteristics of the soil and identify specific mitigation measures to address any soil limitations. Standard professional care shall be exercised when investigating and reporting on soil suitability, including disclosure of any geologic hazards encountered.

A geotechnical report may be simplified and tailored to evaluate only the specific areas of a proposed subdivision where public improvements (e.g. roads, water, sewer, drainage, etc.) are required. If a road dedication subdivision does not require certain public improvements (public infrastructure) at the time of subdivision, or are deferred until development occurs, the soils suitability report may address geologic hazards, information from general soils maps, and general site conditions only (without potholing or soil testing). These deferred testing requirements are justified in recognition that later geotechnical testing will be required for building permits, or infrastructure development when further subdivided.

B. Endangered or Threatened Wildlife Habitat. For any road dedication subdivision proposed within the area of a habitat conservation plan, a letter from an authorized state or federal agency identifying compliance with the habitat conservation plan.

C. State or Federal Roads. If the proposed minor subdivision is adjacent to a state or federal road, a letter or official comments from the Utah Department of Transportation acknowledging the proposed road dedication and identifying any potential impacts resulting from the proposed road dedication.

D. Irrigation Company and Canal Company. If the proposed road dedication subdivision is located within the boundaries of an irrigation company or canal company, a letter or official comments from the governing board acknowledging the proposed road dedication and identifying any potential impacts resulting from the proposed subdivision.

E. Stock Trails. A letter or comments from the president of the Iron County Livestock Association, identifying any items related to preserve recognized livestock trails.

F. Geologic Hazards. If the subdivision is located in a geologic study area, as defined by [Chapter 17.59](#), submit documentation of compliance with such chapter.

SECTION 4. Section 16.04-065 – Leasing or renting multiple spaces on a single lot or parcel, a portion of the Iron County Code, shall be, and hereby is, created and added to read as follow:

Section 16.04.065 – Leasing or renting multiple spaces on a single lot or parcel.

Any person, organization, corporation, or other entity (leasor) who leases, rents, or develops any portion of a building, legal lot or parcel to multiple tenants or leasees may do so without creating a subdivision, as defined in Section 16.04.060, if the lease or rental agreement clearly specifies that the area of the lot, parcel or building being rented or leased is a portion or part of a single legal, lot, or parcel, and not an ownership division or subdivision of said building, lot or parcel.

SECTION 5. Severability.

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

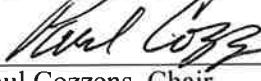
SECTION 6. Effective Date.

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

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY,

UTAH this 28th day of July, 2025.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Paul Cozzens, Chair

ATTEST:


Jonathan T. Whittaker,
County Clerk

VOTING:

Michael Bleak	<u>Aye</u>
Paul Cozzens	<u>Aye</u>
Kenneth Robinson	<u>Aye</u>

**PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF A PROPOSED
GENERAL PLAN AMENDMENT – TIER CHANGE (TIER III TO TIER IV AND TIER
IV TO TIER III) FOR PROPERTIES CURRENTLY IN AND AROUND THE SUMMIT
AND NEWCASTLE TIER III URBANIZING AREA LOCATED WITHIN SECTIONS 15,
16, 17, 20 & 21, T36S, R15W (NEWCASTLE TIER III); SECTIONS 25, 26, 34, 35 & 36,
T34S, R10W AND SECTIONS 1 & 2 T35S, R10W, SLB&M (SUMMIT TIER III).**

Applicant: Iron County

Reed Erickson, Iron County Planner, explained that this was the third round of making changes based on the septic tank density study and amending the General Plan for tier changes for Tier II and Tier III in Newcastle and Summit. Reed gave a brief introduction of the General Plan Amendment/Historical Review. He explained that there were more site-specific studies for the Summit and Newcastle areas, as well as Kanarraville and Paragonah, which identified the number of septic systems that could be in a given geographic area before the potential for contaminating the groundwater would increase nitrates by one milligram per liter, a degradation that was currently at the baseline. Reed explained the base level nitrate to determine groundwater contamination, as well as the Tier Amendments in Summit and Newcastle.

Paul Cozzens, Iron County Chair, declared a public hearing open regarding the proposed General Plan Amendments regarding Tier changes within Summit and Newcastle.

Jesse Bennett, a citizen of Iron County, asked if she could obtain a copy of the density report because she had concerns about water, and she would like to look at the actual data. Reed replied that the information could be found at www.geology.utah.gov under Groundwater & Wetlands.

Paul Cozzens, Iron County Chair, declared the public hearing closed.

Reed Erickson reported that after review and findings, the ICPC recommended approval of the General Plan Amendment – Tier Change in Summit and Newcastle.

Michael Bleak made a motion to approve the General Plan Amendment – Tier change 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 AROUND NEWCASTLE –C, R-1, & A-20 TO R-5; C & A-20 TO RA-
20; AND R ½ TO R-1/ AND AROUND SUMMIT R½ & A-20 TO R-5; AND C
AMENDMENT – TIER CHANGE (TIER III TO TIER IV AND TIER IV TO TIER III)
FOR PROPERTIES CURRENTLY IN AND AROUND THE SUMMIT AND
NEWCASTLE TIER III URBANIZING AREA LOCATED WITHIN SECTIONS 15,
16, 17, 20 & 21, T36S, R15W (NEWCASTLE TIER III); SECTIONS 25, 26, 34, 35 & 36,
T34S, R10W AND SECTIONS 1 & 2 T35S, R10W, SLB&M (SUMMIT TIER III)**

Applicant: Iron County

Reed Erickson, Iron County Planner, explained that this item was the next step after the previous Tier change. Reed reported that the Tier system was a unique tool that identified boundaries and concentrated the higher density and growth in and around municipalities. He gave a brief history of the creation of the Tier system as part of the General Plan, the different Tiers, and zoning within the Tiers.

Paul Cozzens, Iron County Chair, declared a public hearing open regarding the proposed Zone change around Newcastle and Summit.

No public comments were offered.

Paul Cozzens, Iron County Chair, declared the public hearing closed.

Reed Erickson reported that after review and findings of the Evaluation Considerations for Re-zoning, the ICPC recommended approval of the Zone change around Newcastle and Summit.

Kenneth Robinson made a motion to approve the General Plan Amendment –Tier change as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

PUBLIC COMMENTS

No Public Comments were offered.

**DISCUSSION AND POSSIBLE APPROVAL OF A RIGHT OF WAY (ROW) AND
EASEMENT GRANT WITH QUESTAR GAS COMPANY DBA ENBRIDGE GAS UTAH**

Richard Wilson, Iron County Engineer, noted that this agenda item was on the last commission agenda and no action was taken at that time. He spoke with a representative of Enbridge last week and clarified that what they want was strong control of the Easement. The Right-of-Way (ROW) and easement being presented was located where Hwy 56 and Westview Dr. meet, crossing the channel that goes to Quichapa Lake. Rich reported that he still had some concerns with the language written in the grant: “1. Grantor shall not build or construct, nor permit to be built or constructed, over or across the easement, and building retaining walls, rock walls, footings, or improvements which impair the maintenance or operation of the facilities, 2. Grantor shall not change the contour within the Easement without the prior written consent of Grantee.” Rich stated that Iron County would not be able to do any maintenance on the channel. If there were any emergency, Iron County would have to notify Enbridge ahead of time before doing anything in the channel. He reported that he sent the grant to Sam Woodall, Iron County Deputy Attorney, and Rich suggested that we only grant the easement with conditions that we would notify Enbridge within 72 hours after the event that Iron County had made changes. There was a discussion regarding the control and the depth of 27 feet, and the offer of \$500 for the easement.

Michael Bleak made a motion to table the ROW and Easement Grant pending review of the contract by the Iron County Attorney’s Office and the Engineer’s Office. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2025-6 ADJUSTING THE 2025 PERSONAL PROPERTY TAXES FOR APPALOOSA SOLAR 1, LLC

Adam Long, counsel for the Iron County Community Development & Renewal Agency (ICCD&RA), noted that agenda items number 6 through 11 were related to Resolution 2025-6. This was for the Appaloosa Solar Project, which was up and running. Adam explained that the tax increment generated within the Project Area for the 2024 tax year was distributed to the taxing entities through standard channels rather than being paid to the ICCD&RA as required under the Interlocal Agreements, and as a result, ICCD&RA was not able to make the contractual 2024 incentive payment to Appaloosa as required by the Participation Agreement. He noted that the ICCD&RA was asking for Iron County's authorization to correct this overpayment by retaining the rebate payments that would otherwise be made for the ICCD&RA to Iron County. There was a discussion between Adam Long and the Commissioners regarding Resolution 2025-6. The commission determined that, in the best interest of Iron County and the taxing entities, to remedy the 2024 tax increment distribution error by reducing Appaloosa Solar 1, LLC's personal property tax liability for the 2025 tax year.

Kenneth Robinson made a motion to approve Resolution 2025-6 – adjusting the 2025 personal property taxes for Appaloosa Solar 1, LLC. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

IRON COUNTY RESOLUTION 2025-6

A RESOLUTION AUTHORIZING A PROPERTY TAX ADJUSTMENT FOR APPALOOSA SOLAR I, LLC IN CONNECTION WITH THE APPALOOSA SOLAR I COMMUNITY REINVESTMENT PROJECT AREA

Whereas, Appaloosa Solar I, LLC (“Appaloosa”) is the owner and operator of a utility-scale solar project (the “Project”) located within the Appaloosa Solar I Community Reinvestment Project Area (the “Project Area”), established pursuant to Title 17C of the Utah Code; and

Whereas, the Iron County Community Development and Renewal Agency (the “Agency”) and various taxing entities entered into interlocal agreements authorizing the Agency to collect and administer tax increment generated within the Project Area, including for the purpose of making contractual incentive payments to Appaloosa pursuant to the participation agreement between Appaloosa and the Agency (the “Participation Agreement”); and

Whereas, the property taxes generated by the Project within the Project Area for the 2024 tax year were distributed to the taxing entities through standard channels rather than being paid to the Agency as required under the interlocal agreements, resulting in all taxing entities receiving significantly more tax revenue for 2024, which should have been paid to the Agency; and

Whereas, as a result, the Agency was unable to make the contractual 2024 incentive payment to Appaloosa as required by the Participation Agreement, and both Iron County and the Agency have worked to develop a lawful and practical remedy that avoids the complexities of modifying 2024 property tax calculations and distributions; and

Whereas, Iron County has determined that it is in the best interest of the County and the taxing entities to remedy the 2024 tax increment distribution error by reducing Appaloosa's personal property tax liability for the 2025 tax year; and

Whereas, Appaloosa submitted a formal written request dated June 26, 2025, seeking a reduction in its 2025 personal property tax liability as a remedy for the missed 2024 tax increment payment, consistent with the procedures outlined in Utah Code § 59-2-1347; and

Whereas, the request includes supporting documentation and a modified Form TC-470, and is intended to enable the County to lawfully effectuate the adjustment without requiring reversal of prior-year tax distributions;

Whereas, pursuant to Utah Code § 17C-1-207(1)(a)(viii), Iron County is authorized to lend, grant, or contribute funds—including tax adjustments or abatements—to the Agency or in support of project area development; and

Whereas, the proposed tax adjustment reflects a reduction of Appaloosa's 2025 personal property tax liability from **\$1,107,475.72** to **\$413,186.72**, an offset of **\$694,289**, corresponding to the approximate amount of the missed 2024 incentive payment; and

Whereas, the Iron County Commission finds that the proposed tax adjustment is a lawful, fair, and administratively efficient resolution that supports continued compliance with the Agency's obligations under the Participation Agreement with Appaloosa.

THEREFORE, BE IT RESOLVED BY THE IRON COUNTY COMMISSION AS FOLLOWS:

1. The Commission hereby authorizes and approves a reduction of Appaloosa's 2025 personal property tax liability in the amount of \$694,289, reducing the total liability from \$1,107,475.72 to \$413,186.72.

2. County officials, including the Treasurer and Assessor, are directed to make all necessary adjustments in the 2025 property tax assessment and billing process to implement this Resolution.

3. The Commission affirms that this tax adjustment constitutes a lawful contribution in support of project area development under Utah Code § 17C-1-207 and does not require amendment of any existing interlocal agreements.

4. The reduction authorized by this Resolution is contingent on the approval and execution of a corresponding settlement agreement among Iron County, the Agency, and Appaloosa.

5. This Resolution shall take effect upon adoption.

APPROVED AND ADOPTED this 28th day of July 2025.

BOARD OF COMMISSIONERS
IRON COUNTY, UTAH


Paul Cozzens, Chair

Attest:


Jonathan T. Whittaker, County Clerk

VOTING:

Michael Bleak	<u>Aye</u>
Paul Cozzens	<u>Aye</u>
Kenneth Robinson	<u>Aye</u>



**DISCUSSION, AND POSSIBLE APPROVAL OF A SETTLEMENT AGREEMENT
WITH APPALOOSA SOLAR 1, LLC AND THE IRON COUNTY COMMUNITY
DEVELOPMENT AND RENEWAL AGENCY (ICCD&RA) RELATING TO THE
APPALOOSA SOLAR 1 COMMUNITY REINVESTMENT PROJECT AREA (CRA)**

Adam Long, counsel for the ICCD&RA, explained the Settlement Agreement.

Michael Bleak made a motion to approve the Settlement Agreement with Appaloosa Solar 1, LLC and the ICCD&RA as presented by Adam Long. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**DISCUSSION, AND POSSIBLE APPROVAL OF A LETTER AGREEMENT WITH
ICCD&RA FOR APPALOOSA SOLAR 1 CRA MITIGATION PAYMENTS**

Adam Long, counsel for the ICCD&RA, explained that the way the solar project was structured, 100% of the new tax revenue from the project goes to ICCD&RA, then the ICCD&RA rebates 30% back to the tax entities.

Kenneth Robinson made a motion to approve the Letter Agreement with ICCD&RA for Appaloosa Solar 1 CRA mitigation payment. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

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

Paul Cozzens, Iron County Commission Chair, declared the convening as the ICCD&RA.

**DISCUSSION AND POSSIBLE APPROVAL OF A SETTLEMENT AGREEMENT
WITH APPALOOSA SOLAR 1, LLC AND IRON COUNTY RELATING TO THE
APPALOOSA SOLAR 1 COMMUNITY REINVESTMENT PROJECT AREA (CRA)**

Michael Bleak made a motion to approve the Settlement Agreement with Appaloosa Solar 1, LLC and Iron County relating to the Appaloosa Solar 1 CRA as presented by Adam Long. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**DISCUSSION, AND POSSIBLE APPROVAL OF A LETTER AGREEMENT WITH
TAXING ENTITIES FOR APPALOOSA SOLAR 1 CRA MITIGATION PAYMENTS**

Kenneth Robinson made a motion to approve a Letter Agreement with Taxing Entities for Appaloosa Solar 1 CRA mitigation payments. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

**CONVENE AS THE IRON COUNTY UNINCORPORATED AREA SERVICE
DISTRICT #2**

Paul Cozzens, Iron County Commission Chair, declared the convening of the Iron County Unincorporated Area Service District #1.

**DISCUSSION, AND POSSIBLE APPROVAL OF A LETTER AGREEMENT WITH
ICCD&RA FOR APPALOOSA SOLAR 1 CRA MITIGATION PAYMENTS**

Michael Bleak made a motion to approve a Letter Agreement with ICCD&RA for Appaloosa Solar 1 CRA mitigation payments. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION (BOE)

Paul Cozzens, Iron County Commission Chair, declared the convening as the Iron County BOE.

**DISCUSSION AND POSSIBLE APPROVAL OF THE HEARING OFFICER'S
RECOMMENDATIONS FOR THE ROLLPBACK APPEALS FOR BZI INNOVATIONS
PARCEL NUMBERS: E-144-R1, E-144-6, E-136-9, & E0144-4; ALSO FOR THE
ROLLPBACK APPEALS FOR NKM FAMILY TRUST PARCEL NUMBERS: E-179-8 &
E-179-10**

Carrie Christiansen, Chief Deputy Auditor, explained the rollback appeals for BZI. They would like the rollback released to place it in Greenbelt. Carrie noted that they were currently not using it for Greenbelt, but may in the future put a portion of the parcels in Greenbelt. She reported that the parcels had not been used agriculturally. The BOE hearing officer denied the request to release the rollback for lack of an application. In both appeals, BZI and NKM, the statute says that if they change the legal description or the ownership of a property changes, they have 120 days, by law, to reapply. They had not done so. Applications have to be in by May 1st of the year when applying.

Kenneth Robinson made a motion to uphold the Hearing Officer's recommendation for the denial of the Rollback appeals as presented by Carrie Christiansen. Second by. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Paul Cozzens, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

**DISCUSSION AND POSSIBLE APPROVAL OF A UTAH DEPARTMENT OF
AGRICULTURE AND FOOD (UDAF) GRANT FOR INVASIVE SPECIES
MITIGATION WEED CONTROL 2025-2026 SEASON**

Amber Hatch, Iron County Weed Supervisor, explained that this grant was for Coal Creek, which needed help with Russian Olive and Tamarisk trees. She was partnering with Stan Gurley, Department of Natural Resources (DNR), and the Watershed Restoration Initiative (WRI) to apply for grant funds. Stan Gurley applied for the WRI grant, which was denied. Amber reported that the Weed Department received \$53,980 through the Utah Department of Agriculture & Food (UDAF) through their Invasive Species Mitigation grant funding. She noted that although the grant funds would not be sufficient, they opened door for additional potential funding and partnerships in the future. Amber explained that when writing the grants, she ties them together to open up other doors and funding opportunities that allows other departments to receive funds. Amber reported that she would report to UDAF in her reports, removing the invasive species, documenting and reporting her progress. It was also possible that Watershed Restoration Initiative (WRI) funding might become available through the legislature. She noted that with proper recordkeeping and good partnerships she had developed, there would be better opportunities in the future.

Kenneth Robinson made a motion to approve the Utah Department of Agriculture and Food Grant as presented by Amber Hatch. 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 promotions of Ryan Slack and Allen White from Full-Time Deputy 1 to Full-Time Deputy 2 for the Sheriff's Office – Corrections, effective July 20th for Ryan Slack and August 3rd for Allen White; the new hire of Carl Casey as a Full-Time Patrol Deputy, for the Sheriff's Office – Patrol, effective August 4th. This was a backfill of a vacant position; new hire, Blake Mathews, as a Full-Time Patrol Deputy, for the Sheriff's Office – Patrol, effective August 4th. This was a backfill of an upcoming retirement position; the new hire of Brett Hamilton as a Full-Time Planner/Services Coordinator, for the Building & Zoning Department, effective August 4th. This was a backfill of a vacant position; the new hire of Elizabeth Navarro as a Part-Time Administrative Assistant for the Building & Zoning Department, effective August 4th. This was a

newly approved position, and the new hire of Chris Copeland as a Full-Time Roads Maintenance Worker for the Road Department, effective August 4th. This was a backfill of a vacant position.

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

NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

ADJOURNMENT

Paul Cozzens, Iron County Commission Chair, declared adjournment.



Signed: Paul Cozzens, Chair



Attest: Jonathan T. Whittaker, County Clerk

