IRON COUNTY COMMISSION MEETING
April 11, 2016

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 11, 2016 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Dale M. Brinkerhoff	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

H. Eugene Adams	County Auditor
Cindy W. Bulloch	County Assessor
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director
Deborah Johnson	County Recorder

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PLEDGE OF ALLEGIANCE

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

INVOCATION

An invocation was offered by Mike Edwards.

APPROVAL OF MINUTES

Dale Brinkerhoff made a motion to approve the Commission minutes of the March 28, 2016 Iron County Commission Meeting. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Dale Brinkerhoff, made a motion to approve the minutes of the Special Commission meeting dated April 6, 2016. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Dale Brinkerhoff, Iron County Commissioner, reported that he would be attending a meeting in Richfield to interview consultants to help with County Resource Management Plans for 5 County Association of Governments (AOG) and 6 County AOG.

Alma Adams, Iron County Commissioner, reported the he and Commissioner Brinkerhoff had met with staffers from offices of Representative Stewart, and Senator Hatch offices and appreciated the time spent with them. Alma stated that Iron County is concerned with cyber-liability and expressed a need for increased insurance coverage.

Time was given to Gary Howe, Megan Gower, and Mike Bleak to introduce themselves as candidates for the interim position left open by the resignation of Commissioner David Miller.

CONVENE AS THE MUNICIPAL BUILDING AUTHORITY OF IRON COUNTY

Iron County Commission Chairman, Alma Adams, declared the convening of the Municipal Building Authority of Iron County, Utah.

PUBLIC HEARING REGARDING THE ISSUANCE AND SALE OF NOT MORE THAN $3,700,000 AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS AND TO ALLOW PUBLIC INPUT REGARDING ANY POTENTIAL ECONOMIC IMPACT THAT THE IMPROVEMENTS,. FACILITY OR PROPERTY FINANCED IN WHOLE OR IN PART WITH THE PROCEEDS OF THE BONDS MAY HAVE ON THE PRIVATE SECTOR

Alma Adams, Iron County Commission Chair, explained that because of a miscommunication, there would be a public hearing but there would be no vote on the bond issue for two weeks. Alma reported that the bond was for a Public Safety building, leased by Iron County to various state agencies. He explained that the building would be built in Cedar City behind the Jail. Jon Whittaker clarified that a notice had been sent to the newspaper in time, but that notice had not been sent to the public notice web site (www.pmn.utah.gov) before the required 14 days. Jon continued that he was advised by Matt Dugdale, an attorney from George K. Baum and Associates, to hold the public hearing, receive comment, and hold another hearing on April 25, 2016 to act on the issue.

No public comments were offered and the issue was tabled until the April 25, 2016 regularly scheduled meeting of the Iron County Commission.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

PUBLIC COMMENTS

Nancy Fleming, a resident of Parowan valley, expressed disappointment due the lack of response to letters sent to the commissioners concerning noise coming from the Red Hills Renewables solar farm in Parowan valley, adjacent to her home. Nancy reported that the noise would begin before 7:00 a.m. and continue throughout the day until about 8:30 p.m. She noted that the Project Area Plan for Red Hills Renewables indicated that 'no noise' would be generated by the solar farms. Nancy expressed that the project was misrepresented and that she was frustrated at continuing to receive no response from the commissioners.

Alma Adams reported that he had gone to the site and had heard the noise and suggested she make contact with Chad Nay, Iron County Building & Zoning Administrator. Nancy reported that she had been to the Building and Zoning Department

and had spoken with Terry Palmer who explained that he had performed a sound study. Nancy expressed that the current noise ordinance was ineffective and did not account for the continuous "hum."

Bruce Washburn, a citizen of Cedar City, reported on a website created by the Utah State Legislature in 2008 designed to make financial transactions at various levels of government more transparent. Bruce noted that Iron County's portion had not been maintained correctly and would help ease Government Reports Access & Management Act (GRAMA) requests.

APPROVAL OF HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) AND GRANT AWARD TO PURCHASE AN ONLINE MATERIAL SAFETY DATA SHEETS (MSDS) PROGRAM.

Dale Brinkerhoff made a motion to approve the HMEP grant award to purchase an online MSDS program. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

DISCUSSION AND POSSIBLE ACTION REGARDING THE LIBRARY TAX POTENTIALLY BEING ASSESSED BY THE CITIES

Alma Adams explained that at a special work meeting held in the Cedar City Council Chambers on Wednesday April 6, 2016, it was discussed and decided that rather than the cities assessing their own Library tax, Iron County would work on an interlocal agreement, which would be drafted by the Mike Edwards, Deputy Iron County Attorney, and Paul Bittmenn, Cedar City Attorney, to make the collection and disbursement of the Library Tax legal and proper.

Dale Brinkerhoff, Iron County Commissioner, made a motion to request that Mike Edwards, Deputy Iron County Attorney, and Paul Bittmenn, Cedar City Attorney, draft an interlocal agreement to clarify the collection and disbursement of the county library tax. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

APPROVAL TO SELL ROAD DEPARTMENT 1993 TRUCK & SANDER TO KANARRAVILLE TOWN FOR $3500.00

Dale Brinkerhoff, Iron County Commissioner, made a motion for approval to sell a 1993 truck & sander belonging to the Iron County Road department to Kanarraville Town for $3500.00. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

DONATION TO WESTERN RANGE CONSERVATION ASSOCIATION (WRCA) FOR THE LITIGATION OF WILD HORSES

Alma Adams explained that a group of livestock permitees who had been affected unfairly by the Bureau of Land Management (BLM) formed the Western Range Conservation Association (WRCA) and had hired attorney Karen Budd-Falen to file a lawsuit against the BLM for not adequately managing wild horses. Alma explained that the WRCA asked each county to make a donation to help defray the costs. Dale Brinkerhoff noted that the suit would force the BLM to live by the law.

Mike Edwards questioned whether the WRCA was a true non-profit organization. Alma Adams confirmed that the forms had been filed and would call Mark Wrench to confirm the WRCA's non-profit status.

Dale Brinkerhoff made a motion to approve a donation to WRCA for the litigation of wild horses in the amount of $1000 contingent upon WRCA providing evidence of being a registered 501(c)(3) non-profit organization and finding that the contribution would contribute to the health, safety, prosperity, moral wellbeing, peace, order, comfort or convenience of county residents. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

DISCUSSION AND POSSIBLE ACTION ON CLOSED ROAD IN SUMMIT

William Rafti, a resident of Summit, explained that he wanted to expand his property to add a guest home for his daughter. William stated he was interested in acquiring the parcel of land adjacent to the East from his parcel, which was listed on the map as a "Closed Road." Because the land was listed as a portion of a "Closed Road," and because there were several such "Closed Roads," located within Summit, concern was expressed that Iron County would need to ensure the correct Utah State code and process was followed to convey the parcels correctly and fairly.

Dale Brinkerhoff made a motion to direct Cindy Bulloch, Iron County Assessor, to chair a committee to form a recommendation for the problem of the closed roads in Summit. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

APPROVAL TO PAY SETUP FEE FOR EMBROIDERY OF THE IRON COUNTY LOGO ON EMPLOYEE CLOTHING

Cindy Bulloch requested that funds be dedicated to the set up fees associated with the embroidery of shirts for Iron County employees. Cindy clarified that the cost of the shirts and embroidery itself would be borne by the employees and/or department heads, and that the set up fee would be no more than $35.00.

Dale Brinkerhoff made a motion to approve the setup fee for embroidery as explained, not to exceed $35.00. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF E-CIVIS GRANT WRITING APPLICATION CONTRACT

Jon Whittaker reviewed the contract presented by e-Civis, an on-line grant writing application with the commissioners. Jared Wilson explained that an appropriate number of user licenses to purchase would be 3.

Dale Brinkerhoff made a motion to roll the e-Civis discussion forward to a future meeting contingent upon a firm contract for 3 users. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

PERSONNEL

Betsy Cummings, Iron County HR Assistant, requested the approval of a new hire, Wyntre Tyler, to fill the recently approved part time Data Entry Clerk position, for the Council on Aging, effective date March 28, 2016.

Dale Brinkerhoff made a motion to approve new hire, Wyntre Tyler, to fill the recently approved part time Data Entry Clerk position, for the Council on Aging, effective March 28, 2016. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

NON-DELEGATED ITEMS

Jared Wilson, Iron County IT Director, cautioned that Iron County employees be very careful when opening e-mails with attachments. Jared explained that, in recent days, many virus' had infected employees' computers by way of malicious attachments.

ADJOURN

Alma Adams, Iron County Commission Chair, declared adjournment.

Signed: Alma Adams, Chairman

Attest: Jonathan T. Whittaker, County Clerk

COUNTY OF IRON COUNTY CLERK STATE OF UTAH