

**IRON COUNTY COMMISSION MEETING
JANUARY 25, 2021**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. January 25, 2021
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Michael P. Bleak	Commission Chair
Paul Cozzens	Commissioner
Marilyn Wood	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

G. Michael Edwards	County Deputy Attorney
Karsten Reed	County Assessor
Dan Jessen	County Auditor
Terry Palmer	County Building & Zoning
Jennifer Bradbury	County HR Director
Nicole Rosenberg	County Treasurer

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Marilyn Wood.

INVOCATION

An invocation was offered by Michael Edwards.

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meeting held January 11, 2021. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood Abstained.

DEPARTMENTAL REPORTS

Carri Jeffries, Iron County Recorder, reported that her office was in their busy season. By law, they had to make a copy of all of their ownership plat as of January 1st. The Recorder's office also scanned each plat for convenience in retrieval. During the 4th quarter, there were 6,011 total recordings, with 2,044 transfer documents, 14 plats, and \$245,284 in revenue. A recent recording fee change from the State legislature increased the recording fees to a minimum of \$40, which increased overall Recorder's Office revenue. Total recordings for the year were 21,279, up from 14,941 in 2019. Total fees in 2021 were \$850,280.85. Carri reported that each year, her office was required to make a copy of each plat map as of January 1st. They also make a scan of each plat map. This process was going well, although slower than other years because of more recordings and recorded plats at the end of the year than normal. She and the commissioners discussed implementing a system to flag parcels that weren't legally subdivided.

Karsten Reed, Iron County Assessor, reported that he had promoted Exilda Serrano to the position of Chief Deputy over Residential. Karsten noted that Teresa Caldwell, Jessica Huntington, and Braden Beaumont were all pursuing their appraiser licenses. He expressed that it was beneficial to have good depth in Assessor's Office staff.

Nicole Rosenberg, Iron County Treasurer, reported that her total tax and other collections for 2020 were \$59,672,844, which was an increase from 2019. \$12,035,942 of that total collected amount was money that would remain with Iron County. Nicole reported that Iron County's "Pooled Cash," or money on hand was \$45,776,075.79. \$299,878 had been collected in interest, down significantly from \$885K in 2019. The large decrease was due to a significantly lower interest rate paid. She reported on a previously invested amount of \$12M with Moreton Asset Management Company. Those funds earned 1.67% for a return of \$150K. Nicole reported that outstanding taxes were similar to 2019, with \$6,822,689. She noted that her office had tracked this statistic closely, because the entities that rely on Iron County tax collection were anxious to see how much of a reduction in revenues there would be due to the economic downturn associated with the COVID-19 pandemic. It was a great relief to see that outstanding taxes actually decreased slightly. Nicole reported billing \$45M in property taxes, a slight increase. She reported that \$44M had already been collected. Nicole expressed appreciation for her deputies. She noted that online payments had increased to over \$5M. She noted that they had been preparing a mailing the notices to property owners regarding the May tax sale. Happily, there were fewer parcels in danger of being sold at tax sale. Nicole reported that her office ended the 2020 year under budget.

Paul Cozzens, Iron County Commissioner, reported that work on an addition to the Cedar Senior Citizens Center was progressing. Painting, flooring and siding were complete, and the heating, ventilation, and air conditioning (HVAC) was slated to be next, along with electrical and plumbing. Paul expressed hope that, with the additional space, the Cedar Senior Citizens Center would be able to reopen after being limited by the COVID-19 pandemic with greater ability to socially-distance. He spoke of the plague of loneliness amongst the senior population, especially because of the isolation of the pandemic. Paul reported that the Five County Association of Governments was considering a change in structure of the Southwest Utah Public Health Department. To save administrative overburden, they were considering moving the Behavioral Health department under the pervue of Dr. David Blodgett. There was also

consideration to change the board structure so that larger counties that contribute more would have more influence through weighted votes. As proposed, Washington County would have 6 votes, Iron County would have 2, and Beaver, Garfield, and Kane Counties would each have 1 vote. Paul then noted that when he was a councilman in Cedar City, they adopted a policy that key people must live within the municipal boundaries. He suggested that Iron County might want to adopt a similar policy.

Marilyn Wood, Iron County Commissioner, reported that she had spent time with Roads Superintendent, Preston Nelson and Landfill Supervisor, Bruce Anderson. Marilyn noted that she enjoyed learning about the operations and challenges facing those departments, and was happy to liaise with men that were already her friends. She noted that she had learned about the remarkable stonework on the bridges along the Kanarra Mountain Road that were built by the Civilian Conservation Corps (CCC). Marilyn was able to discuss projects and challenges facing the Landfill and Roads departments. She noted that constituents had approached her regarding holding commission meetings later in the day so citizens could more easily participate. Marilyn discussed the Utah legislature being in session, but that this legislative session was not opened to the public due to the COVID-19 pandemic. She expressed that it was unfair that lobbyists were being granted access while the public was not. Marilyn concluded by mentioning bills that had to do with concealed firearm permits and concentrated animal feeding operations.

Michael Bleak, Iron County Commissioner, reported that COVID-19 vaccinations were doing well. Unlike other areas, the primary constraint for vaccinating people was the supply of vaccine doses. The focus was on individuals aged 70 and older, law enforcement personnel, 1st responders, and educators. Mike mentioned that one lady did not feel well after having received the vaccine. For most people, there were not serious side effects. The commissioners discussed some of the challenges facing citizens that were trying to call in to make a vaccination appointment. Once the window was opened for appointments, it would fill within a short period of time. There were challenges with an online portal also being overwhelmed. Mike noted that the goal was for Iron County to be vaccinating 1,000 individuals a week. Southern Utah University (SUU) stood ready to help provide facilities once vaccinations began in earnest. He noted that Iron County had a plan to be able to vaccinate 45,000 individuals in 30 days. Iron County was the only county with a plan to be able to vaccinate most of its citizens within a month's time.

PUBLIC COMMENTS

Gary Player, a citizen of Cedar City and Professional Geologist, discussed his concerns regarding a proposed ground water management plan for Cedar Valley with the commissioners. Mr. Player noted that the Utah Division of Water Rights had included the area of Cedar Breaks within the Cedar Valley aquifer system. He noted that he and his colleagues could prove that said inclusion was an error. Furthermore, by incorrectly including the Cedar Breaks and non-valley areas within the aquifer system, exploring new water in those areas. Mr. Player noted the beautiful ice formations that occurred in the winter along SR-14, below the SUU Mountain Center. He noted that the ice formed from water seeping from the rocks, which suggests that those rocks are saturated. Most of the springs in the mountains are above 9,000 feet in elevation. Mr. Player stated that the water in those formations travels east and remains sub-surface and ends up in the Grand Canyon. He estimated that the annual recharge into these rocks might exceed 15,000 acre feet. It might be possible to extract significant water resources without drawing down the bedrock aquifers. Mr. Player noted that not all geologists in the area agreed with his assessment of these rock formations and of the water that was potentially available, but it was important to maintain the right to explore such. He noted that if water were pumped from these layers, it could simply be placed in Coal Creek and would supplement surface water, reducing demand for water drawn out of the aquifer in Cedar Valley. Mr. Player explained that the Hurricane Fault ran along the foothills of the mountains, and was impermeable, meaning that the water within those rocks could not reach the Cedar Valley aquifer except on the surface. He noted that there were 60 days to appeal the proposed ground water management plan to not include areas east of the Hurricane Fault, thereby limiting the opportunity to explore those higher

elevation formations and their potential. Mr. Player explained that he was asking Iron County to appeal the plan as he explained. He himself was also planning to appeal. The deadline to appeal was mid-March, 2021. Marilyn Wood discussed drilling into the formations in question as a method to mitigate the saturation that causes slides and damaged SR-14. Marilyn noted that she intended to work with the Utah Department of Transportation (UDOT) to help bring about said drilling to help preserve that vital highway east of Cedar City.

DISCUSSION REGARDING THE DOMINGUEZ-ESCALANTE TRAIL AND UPCOMING 250TH ANNIVERSARY. DISCUSSION REGARDING IMPROVING A MONUMENT AND TRAIL TO, “CASTING OF THE LOTS SITE.”

Jay Jones, a resident of Cedar City discussed the Dominguez and Escalante expedition of 1776. Mr. Jones noted that it was the first recorded expedition through Iron County. The priests were peaceful, made record of the indigenous peoples, and attempted to map an overland route to Monterrey, California to Santa Fe, New Mexico. In western Iron County, the group stopped on October 11, 1776 and “cast lots,” to determine whether to return to Santa Fe, or continue to search for a trail to Monterrey. The result was to return. The historical site, located at N 37° 41.115 W 113° 08.607, features a very rough access trail and an aging historical marker. Mr. Jones asked for financial consideration to update the marker, and he and the commissioners discussed improving access to the site. The commissioners discussed highlighting the Casting of the Lots site on the Iron County Off Highway Vehicle (OHV) system and maps. Reed Erickson mentioned that the site had been discussed with the Bureau of Land Management (BLM).

DISCUSSION AND POSSIBLE APPOINTMENT OF A MEMBER TO SERVE A ONE YEAR TERM ON THE UAC BOARD OF DIRECTORS FOR THE 2021 YEAR

Marilyn Wood made a motion to appoint Paul Cozzens to serve a one-year term on the Utah Association of Counties board for one year. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY ORDINANCE 2021-1, AMENDING IRON COUNTY CODE 17.36.230, LOCATION OF MOBILE HOMES, TRAVEL TRAILERS, RECREATIONAL VEHICLES, BOATS, CAMPING TRAILERS, TRUCK CAMPERS, AND MOTOR HOMES; AMENDING IRON COUNTY CODE 17.17.030 – TABLE OF USES; AND SECTION 17.20.010 – DEFINITIONS; ADDING SECTION 17.36.232 – RECREATIONAL VEHICLE TEMPORARY USE (1-16 DAYS) AND SECTION 17.36.234 – RECREATIONAL VEHICLE SEASONAL USE (17-180 DAYS PER YEAR); AND PROVIDING AN EFFECTIVE DATE.

Reed Erickson, Iron County Planner, explained that this item had been brought before the commissioners previously, and that the requisite public hearing had already been held. Reed offered his assistance to the commissioners to help them in their deliberations and to answer any questions. He requested that the commissioners have any deliberations on the matter in public. Paul Cozzens replied that he was concerned because of the very expensive housing market. Paul was concerned about limiting use to 16 days, concerned about having to get a building permit and, ultimately, he was concerned that this ordinance might cause Iron County to kick someone off their land. He recognized the public health concerns that needed to be addressed. Marilyn Wood noted that there are individuals who have lived in the western areas of Iron County for years. Marilyn expressed concern that those individuals, who are often impoverished may not have a tenable solution. Reed Erickson replied that the proposed ordinance actually loosens existing standards. The ordinance was designed to make it more possible to use a recreational vehicle and remain on their property. Paul Cozzens moved to table Iron County Ordinance 2021-1, to provide an opportunity to gather additional information. Paul expressed appreciation for, and noted the hard work of, the Iron County Planning Commission in bringing the ordinance to this point. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL ON A PROPOSED GENERAL PLAN TIER CHANGE AND ZONING MAP AMENDMENT FOR PROPERTY AFFECTED BY THE RECENT DISSOLUTION OF CEDAR HIGHLANDS TOWN.

Reed Erickson, Iron County Planner, explained that the land that was formerly part of Cedar Highlands Town was once again, part of unincorporated Iron County and the updated to the zoning and General Plan Tier maps. A public hearing was held during the January 11, 2021 Iron County Commission Meeting, but no action was included on the agenda. The proposed zoning was for R1 within the Cedar Highlands subdivision, and A-20 in the surrounding open spaces. Parcels east of Right-Hand Canyon Road were to be included in Tier II, allowing future development. These recommendations were supported by the Iron County Planning Commission, as well as the Cedar Highlands Homeowners' Association. Marilyn Wood made a motion to approve the zoning and tier assignments as explained. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF THE 2021 ANNUAL COOPERATIVE AGREEMENT BETWEEN USU EXTENSION SERVICE AND IRON COUNTY

Kathy Riggs, USU Extension Professor, presented the annual renewal of the agreement between USU and Iron County. She noted that in 2020, it was decided to do an annual renewal. Paul Cozzens made a motion to approve the 2021 Annual Cooperative Agreement between USU Extension Service and Iron County. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF CATASTROPHIC WILDFIRE PROJECT FUNDING FOR FISCAL YEAR 2021

Ryan Riddle, Iron County Fire Warden, presented a request for Iron County to receive and process Catastrophic Wildfire Project funding for the fiscal year 2021. The Iron County paging system was maintained by the Iron County Ambulance service. When the Ambulance Service was sold, the maintenance of the paging system was neglected. After some alarming failures, it was decided that the maintenance of the paging system would fall under Iron County Emergency Management. This was a marked improvement, but was still not optimal. A committee of experts was formed, and after analyzing the system and the relay sites, it was decided to keep the paging system as an analog system. Also, the infrastructure was aging and insufficient. Fortunately, Gold Cross Ambulance stepped up to help maintain and improve the system. The committee decided to request \$70K to repair and improve the system. Marilyn Wood made a motion to approve the pass-through Wildfire Project funding as presented to begin the needed repairs and site improvement. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF PROFESSIONAL SERVICE CONTRACT BY AND BETWEEN DENNIS C. JOHNSON, TELEVISION TECHNICIAN AND IRON COUNTY FOR THE 2021 YEAR

Paul Cozzens made a motion to approve the contract for professional services between Iron County and Dennis Johnson, Television Technician for the 2021 year. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND APPROVAL OF PROFESSIONAL SERVICE CONTRACT BY AND BETWEEN MICHAEL V. WORTHEN, WILDLIFE MITIGATION TECHNOLOGIES AND IRON COUNTY FOR THE 2021 YEAR

Marilyn Wood made a motion to approve the contract for professional services between Iron County and Michael V. Worthen, Wildlife Mitigation Technologies for the 2021 year. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF FIFTH DISTRICT PUBLIC DEFENDER CONTRACT RENEWALS FOR JEFF SLACK AND TROY SUNDQUIST

Shain Manuele, Iron County Defense Attorney Coordinator, presented the annual renewals of Public Defender Contracts between Iron County and Jeff Slack and Troy Sundquist. He noted that, per request, complex litigation fees were taken out, and a caveat that the public defenders not file suits against Iron County was included. Paul Cozzens made a motion to approve the Public Defender Contracts as presented. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County HR Director presented the new hire of Chase Troutner as Full Time Deputy Attorney 3, effective February 22, 2021, in the Attorney’s Office. This was a newly approved position for 2021. Marilyn Wood made a motion to approve the new hire of Chase Troutner as explained. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the appointment of Exilda Serrano as Chief Deputy over Residential, effective January 25, 2021, in the Assessor’s Office. This would change Exilda from hourly to exempt salary status with corresponding pay. This was a newly approved position. Paul Cozzens made a motion to approve the appointment of Exilda Serrano as explained. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the interim transfer of Jason Slack from Corporal to Interim Sergeant, with corresponding pay, effective January 24, 2021, in Corrections. Jennifer Bradbury also presented the interim transfer of Matthew Malachowski from Deputy 3 to Interim Corporal, with corresponding pay, effective January 24, 2021. Marilyn Wood made a motion to approve the interim transfers of Jason Slack and Matthew Malachowski as explained. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented the new hire of Richard Wilson as Iron County Chief Engineer, effective February 7, 2021. This was a backfill of a vacated position. Paul Cozzens made a motion to approve the new hire of Richard Wilson as explained. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented a policy update of Personnel Policy, Section 3, Salary Placement. This change replaced all references to “Step and Grade,” with “Position Pay Range.” Marilyn Wood made a motion to approve changes to Personnel Policy, Section 3 as explained. Second by Paul Cozzens. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.


NON-DELEGATED ITEMS


Paul Cozzens made a motion to include Enoch Mayor Geoffrey Chestnut as a member of the Iron County Economic Development Board. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Paul Cozzens made a motion to appoint Tyler Melling to replace Tom Stratton as a member of the Central Iron County Water Conservancy District. Second by Marilyn Wood. Voting: Michael P. Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

ADJOURNMENT

Michael P. Bleak, Iron County Commission Chair, declared adjournment.


Signed: Michael P. Bleak


Attest: Jonathan T. Whittaker, County Clerk

