

IRON COUNTY COMMISSION MEETING

APRIL 24, 2023

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 24, 2023 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

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

Also present:

Luke Little	County Auditor
Richard Wilson	County Chief Engineer
Shalon Shaver	County Corrections
Sam Woodall	County Deputy Attorney
Danny Stewart	County Economic Development
Ryan Riddle	County Fire Warden
Wade Adams	County Fleet Manager
Jennifer Bradbury	County HR Director
Jared Wilson	County I.T. Director
Mike Worthen	County Natural Resources
Reed Erickson	County Planner
Bruce Anderson	County Public Works
Carri Jeffries	County Recorder
Kenneth Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer

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INVOCATION

An invocation was offered by Jon Whittaker.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Sam Woodall.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held April 10, 2023. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Marilyn Wood made a motion to approve Claims for Payment from April 10, 2023 to April 23, 2023. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Jared Wilson, Iron County Information Technology (IT) Director, reported that they were preparing to do some server and hardware updates. Iron County recently switched to a Voice Over Internet Protocol (VoIP) phone system and it was working well and saving Iron County money. The current project that IT was working on was placing security cameras at the Newcastle Fire Station, near the Beryl Fire Station, and the Iron County Fair Building. Commissioner Cozzens noted that his son had heard that there was going to be an increase in computer prices and asked if Iron County needed to think about buying more. Jared replied that he had heard the rumor but had not noticed an increase yet. He explained that he usually plans for an entire year and purchased them as needed. During COVID he bought many computers which was helping to stay ahead of a shortage. Paul Cozzens asked if Iron County was staying ahead of phishing because it was happening so much. Jared reported that the Iron County employees had been doing a great job watching for anything suspicious, which came from educating and training to recognize phishing attacks. If something came up on a computer, they were quick to notify the IT Department. Commissioner Cozzens reported that he served on the 5 County Behavioral Health Board and they had received a ransom letter, asking for \$1M. There was a great backup system and they did not pay the ransom.

Nicole Rosenberg, Iron County Treasurer, reported that Product Sales collected since January 2023 was \$3,903,127.96; Collected to Iron County only at \$775,165.09, and the Pooled Cash Report. Nicole noted that the Public Treasurers Investment Fund (PTIF) was doing well and the interest rate was up to 4.8%. It was 3.85% when she reported in January. From March 2022 to March 2023 the 327 PTIF collected in interest was \$1.1M. She reported that she had been helping set up a new vendor for tickets for the Iron County Fair which would help with their reporting. The Iron County audit would be held May 5th through 10th. She noted that the May Tax Sale was low with a beginning count of 114 properties and was down to 72 remaining. There was 1 home left and 2 properties that were valued at over \$25K. Melanie Hall, Chief Deputy Treasurer, was handling the Tax Sale and was doing an excellent job. The office staff

works hard to reach out to everyone listed on the tax sale. Nicole expressed her appreciation to Kendal Allan, Iron County Geographic Information Systems (GIS) Coordinator, for working so hard on the tax sale map that anyone could go to the map and locate any of the properties listed on the tax sale. He had worked with the office staff and did an outstanding job. She reported that outstanding taxes was at \$8.6M which was down from \$14M in 2022.

Carri Jeffries, Iron County Recorder, reported that the Total Documents Recorded was at 2,761 down by 442 in the year 2022; Transfer Documents were at 1,064 down by 94 in the year 2022, and Subdivision Plats were at 9 down by 9 from the year 2022. With all the snow that had fallen, it had been a slow winter for recordings. Carri noted that the budget was on track at 20.34% used. She expressed her appreciation to Kendal Allan for keeping the new GIS Map up and running. She was very excited about the progress and everything Kendal had been able to do with the program. This would be a benefit to all departments.

Michael Bleak, Iron County Commissioner, reported that all the commissioners had been involved for some time in developing plans for the new Sheriff's Complex. There had been meetings held regarding, and including, the contractor, the Sheriff's Office, the architectural firm, and anyone else involved. The meetings had been beneficial and much had been accomplished. They had discussed many times about getting the information to the public. He reported that he, Sheriff Carpenter, and Jon Whittaker, had an opportunity to visit with a Public Relations Firm. They had received information and feedback on ways to keep the public informed. Mike noted that he had the opportunity to cook pancakes for the Home Builders Association for their Spring Home and Garden Fair. All the proceeds went to 2 residents that had been diagnosed with cancer over the last year. While he cooked the pancakes, he had several contractors express how much they appreciated Iron County and the Iron County Building Department. They appreciated how smooth the process now was and to please recognize Terry Palmer, Iron County Building Official/Zoning Administrator, for going above and beyond his duties and willingness to work with everyone. Commissioner Bleak reported that he had been meeting with the different fire agencies and their pre-fire season kickoff would be held today at 2:00 p.m. He reported that he had received many questions from residents regarding possible flooding. There were sand and bags available at the Iron County Road Shed. There were filled sandbags located behind the fence at the Road Shed for reserves for Iron County. There were 2 shovels at the site, but one was stolen and the other was broken, so you must bring your own shovel to fill your own sandbags. He noted that the weather patterns were great to help with a slow run-off. Emergency Management, the Engineers Department, the Commissioners, and the Central Iron County Water Conservancy District (CICWCD), were all keeping watch on the water flow and it was flowing at a good pace.

Marilyn Wood, Iron County Commissioner, reported that on April 17th there was a Community Impact Board (CIB) meeting. She explained that the CIB provided loans and grants to counties, cities, and towns that were impacted by mineral resource development on federal lands. Local communities cannot collect taxes from federal lands. To reduce that burden, a portion of the federal lease fees was returned to the CIB to distribute to the impacted communities. This was a great resource for rural communities to apply for grants or low-interest loans to help with large projects in their community. The Biden Administration had shut down most federal mineral leases which impacts rural communities. Commissioner Wood reported that on April 20th there was a meeting regarding the Iron Springs Road and the Rail Road. Trains could come and go with no time schedule or warning system. Unfortunately, there had been an accident involving a car being hit by a train at the intersection of Iron Springs Road and Antelope Springs Road. Iron Springs Road was busy with workers coming and going from American Pacific (AMPAC). There was a great partnership between Iron County, BZI Steel, the Rail Road, and AMPAC, and they were working toward a solution. Eventually, there would be crossing arms installed, but for now, a stop sign had been placed and a warning on the electric sign of the railroad crossing. She noted that Iron County roads were filled with potholes and the Road Department was aware of them. At this time all the focus had been on flooding prevention and repairs. Marilyn asked everyone to be patient with the road department as they continued to work. They were short on qualified CDL drivers and they would get to road repairs as soon as

they could. There was a great deal of moisture in the ground from the snow that was affecting the roads.

Paul Cozzens, Iron County Commissioner, reported that he had attended a Joint Highway Committee meeting in St. George last week. Former Beaver County Commissioner Whitney was no longer involved with the committee and Paul had filled that position. The committee provided coordination and yearly project recommendations to the Utah Transportation Commission for the use of these federal funds. They meet twice a year and give their project recommendations each spring. Paul noted that the CICWCD had a flow map of all the canals in Iron County on their website: <https://cicwcd.org/flow-map/> There was live streaming of all the water flow in Iron County. This was a great resource for the public. Commissioner Cozzens explained the water flow into the Woodbury Split by the Bicentennial Softball Complex. He expressed his appreciation to the CICWCD for putting the Flow Map on their website. We need to hope and pray that the elements are tempered for a moderate runoff. Paul reported that he met with Western Rock, a subsidiary of Staker Parson, who had been great to work with. There was a gravel pit by Airport Road that was owned by Cedar City. He met with Western Rock and they did have plans to mine in the pit but had changed their minds and were allowing Iron County to use the pit for recharge. A spillway was being dug in the Schmidt Pit approximately 300 feet. He explained that there were 3 Pits: The Schmidt Pit would overflow into the Iron County Pit which would overflow into the third pit. These pits would allow the water to enter the aquifer. Commissioner Cozzens reported that he provided a presentation to the Board of Realtors on April 12th regarding flooding issues and what they could tell their clients on how to prepare for potential flooding. He expressed his appreciation to Rich Wilson, Curtis DeMille, Dan Jessen, Ryan Riddle, and everyone who had been involved in flooding projects. Commissioner Cozzens reported that he had attended the 5 County Behavioral Health Board meeting.

2ND CDBG PUBLIC HEARING, REGARDING AN EMERGENCY APPLICATION TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR A FIRE ENGINE AT THE NEWCASTLE FIRE STATION. SEEKING COMMENTS REGARDING PROJECT SCOPE, IMPLEMENTATION, AND ITS EFFECT ON RESIDENTS

SECOND CDBG PUBLIC HEARING MINUTES
IRON COUNTY CDBG PUBLIC HEARING
PUBLIC HEARING HELD 68 S 100 E, PAROWAN, UT, APRIL 24, 2023, 10:00 A.M.

The Iron County second CDBG public hearing was held on April 24th, 2023 at 10:00 a.m., in the Iron County Courthouse. Meeting commenced at 9:00 a.m.

Present: Paul Cozzens, Commission Chair
Michael P. Bleak, Commissioner
Marilyn Wood, Commissioner,
Ken Carpenter, County Sheriff
Luke Little, County Auditor
Nicole Rosenberg, County Treasurer
Jared Wilson, IT Director

Public in Attendance: Jeffrey Hartman, Debra Hartman, Kim Langston, Bill Steward, Rebecca Helquist, B. Don Badgett, Joe Portolese, Michelle Portolese, Craig Wolfley, Harold Linnastruth, Diane Linnastruth, Bruce Washburn, James Jetton, Robert S. Ballou, Carol Grow, Cindy Parres, Ereck Kirk, Jeff Richards, Patrick Simper, Craig Jakus, Anne Jakus, Jonathan Stathis, Brad Bassett, Paul Roelandt, Harold Pease, Bradden Beaumont.

County Recorder, Carri Jeffries
County Clerk, Jonathan T. Whittaker
Deputy County Attorney, Sam Woodall

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING

Commissioner Paul Cozzens opened the second public hearing of the CDBG program. Commissioner Paul Cozzens stated that this hearing was called to allow all citizens to provide input concerning the project that was awarded under the 2023 Community Development Block Grant Program. The county has amended its capital investment plan and decided to apply for funds on behalf of the Newcastle fire engine to replace a 5+ year-old, non-functional fire engine. The Commissioner introduced Ryan Riddle, Iron County Fire Warden. The Commissioner explained that the application was successful in the regional rating and ranking process for \$350,000 for a Newcastle Fire Engine. Commissioner Cozzens asked Ryan Riddle to explain the project. Ryan Riddle explained that the new fire engine would be to replace a 1975 International with electrical failure. Said truck did not meet code for fire nor the Occupational Safety and Health Administration (OSHA). The International had given a thorough service life and more. There was an urgent need to replace the old fire engine. Ryan explained that this was a Type 3 engine. In spite of some challenges, Ryan was able to get a truck ordered that should be delivered within 3 months. Both Iron County and Newcastle should benefit from the new fire engine. Commissioner Cozzens then asked for any comments, questions, or concerns from the audience. The only comment came from Sheriff Ken Carpenter, who noted that one of his roles as sheriff is wildland fire. Sheriff Carpenter noted in terms of Pine Valley and other areas, this engine would be essential equipment. He expressed support for the purchase of the fire engine. Commissioner Cozzens expressed gratitude to the CDBG committee for supporting this request. There were no more comments and the hearing was adjourned at 10:18 a.m.

PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF PROPOSED AMENDMENTS TO THE IRON COUNTY TRANSPORTATION PLAN (STUDY AREAS 8 & 8A – WESTVIEW DRIVE AND ADJACENT AREAS), RECOMMENDATIONS FROM THE IRON COUNTY PLANNING COMMISSION

Reed Erickson, Iron County Planner, gave a brief introduction of the Iron County Transportation Master Plan update for Areas 8 & 8A. Area 8A included Westview Drive and Area 8 was west of Westview Drive to the Belt Route (5700 West). Reed explained that the Iron County Planning Commission (ICPC) had discussed and reviewed Areas 8 & 8A and held a public hearing. Reed expressed his appreciation to the residents of the Westview area for attending the public hearing and being involved. There had been some good input, feedback, and good ideas that would make for a better plan. He reported that within the last couple of weeks, there had been more discussion on a link going into and through the area from the Cedar City area on the east. He has had meetings specifically with the property owners and Cedar City on how best to make that connection.

Richard Wilson, Iron County Chief Engineer, explained that the General Plan land use and annexation areas were in the Iron County Unincorporated areas. They would like to balance mobility and access. The highest mobility was on a freeway and the lowest mobility was in a cul-de-sac, but access was highest in a cul-de-sac and lowest on the freeway. Their goal was to increase the mobility on Westview Drive with a total access plan that included not only vehicle transportation but active transportation such as walking paths, bike trails, and a vegetative strip between the traffic and the foot and bicycle traffic. Reed Erickson reported that Cedar City and Enoch had each adopted a Transportation Master Plan. He and Richard had been involved with their master planning to coordinate areas where the roads would join together. Richard explained the Active Transportation Protection levels by facility type. The best option was to have a vegetative strip between vehicles and active transportation. Richard noted that there were future plans for a Middle School and Elementary School south adjacent to Westview Drive. The residents asked that they take into consideration that children would be walking and biking to the schools. The driving force behind the transportation plan was growth. He reported that the prediction of population growth was mostly southwest of Cedar City and northwest of the Cedar City Airport. The prediction of employment growth was west of Hwy 56 and within Cedar City boundaries. Westview Drive was proposed as a Minor Arterial road (through road). Richard explained that the Level of Service was typically displayed in the relationship between the traffic volume and the roadway capacity (generally the number of lanes). Or a Volume to Capacity ratio. The Volume to Capacity ratio was represented as a letter grade ranging from A to F. For example, the roads around the Walmart area during peak hours received an F rating, and the road around the Maverik on Minersville Hwy received a D rating. One concern was that in less than 7 years 800 S back to Hwy 56 would go from a current A-C rating to a D rating. In 17 years it would fall to a F rating. He reported that the purpose of a master plan was to pre-plan and not have to rethink the road connections after homes are built and it becomes part of the Conditional Use Permit for the developer. One major concern was in Area 8A where Cedar City's Master Plan had a road from Center Street east to the Diamond Z Arena, to Cody Street, to Westview Drive above Ladybug Nursery. The problem with that was it was at a 30-plus degree grade. The planning commission discussed the road and recommended that the road be diverted north. The developer to the north had made it clear that he had no desire to have a road come through his subdivision. Richard expressed that it was irresponsible to use the southern road because of the slope. Reed Erickson explained that the original plat map for the Old Sorrel Ranch Subdivision (supplied by Dane Leavitt) showed that the road was planned to go through the subdivision. The Cedar Council decided that the road did not have to go through there and took it off the map and diverted it instead to Cross Hollow Drive. The original road would have come from the back of Home Depot and over to the Old Sorrel Subdivision. Neighbors and residents in Old Sorrel did not want the road to go through there so the city changed their master plan and put it to the end of Cross Hollow Drive which was on the steep slope that Richard had spoken about. Reed explained that they had looked at other alternatives for connecting with Cedar City Roads. One involved the road that came from Walmart to the bottom where the drainage basin was to the

west of the Silver Silo Bakery, and another was to Hidden Hills around the drainage. Discussion continued regarding other alternatives that could be considered that would make sense to continue the city roads. Reed Erickson explained that the transportation plan included a 100-foot Right-of-Way (ROW) on Westview Drive and Old Hwy 91, and Middleton Road would be a 75-foot ROW. Discussion followed regarding the width of the roads and Power Usage Effectiveness (PUE) easements on Westview Drive and Spring Creek Subdivision that were listed for widening the roads.

Area 8: Reed Erickson reported that area 8 included: 3900 W (32) & 4500 W (142) 800 S (45) (the SUU Farm-only if developed); 5300 W (206) – 800 S (45) W/ thru the Quichapa channel; 5300 W (208)-Center St. (801) – 200 S (803 & 811)-300 S (804)-400 S. (805) – 600 S (806) and 6100 W (812); and 2400 S (25 & 818) -4700 W (38); 3200 S (28 & 816) – 5300 W. (203)-3600 S (202 & 817) and 6100 W (814 & 815). Richard closed with a summary of what the future holds, saying, “With the planned growth of Cedar City, Enoch, and unincorporated Iron County, the transportation system will experience increased demand. Without improvements to the transportation network, traffic congestion and resulting delays will increase significantly on most of the functionally classified roadway.” Paul Cozzens expressed his appreciation for all the work that Reed and Richard had done on this project.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing open regarding the Iron County Master Transportation Plan.

Patrick Sawyer, a resident of Iron County, noted that he had followed the road plans in Westview since it began with a public notice from Cedar City. He had attended the Cedar City meetings when Commissioner Cozzens was on the Cedar City Council. At that time residents in Westview Estates were very unhappy with the Cedar City Transportation Plan. They were then guided to the Iron County Planning Commission (ICPC). The residents were upset with the ICPC because of what happened in Cedar City. Once everyone’s temperament calmed down and they expressed their concerns to the ICPC the process had gone much smoother. Patrick explained that when you move into a place with a vision of your own and then have a developer/city tell you their vision was different it is a difficult thing to have to give up. The residents of Westview decided that it was better to follow the Iron County Transportation Plan as it seemed to benefit everyone as a community. Many of the ICPC Board came and explained the Iron County Transportation Plan vision. His main concern was if he sold the property that the ICPC requested for this purpose and then have the plans change down the road. Mr. Sawyer asked that if the Commission adopted the Transportation Plan to please keep with the original plan that was adopted. He noted that the community was in favor of the additional easement on side of a gas line, but would like it be written that no additional housing could go in those places. Richard Wilson had been great in helping Westview residents understand what the plan was. Mr. Sawyer expressed his appreciation for the effort that Iron County had made to help them understand and how much better it was than how they were treated by Cedar City.

Richard Wilson explained that the Iron County Transportation Plan was working on an agreement with Cedar City that had been shown to the Westview Community would remain as planned and that there would be no change unless it was absolutely necessary.

Reed Erickson noted that a plan could be adopted as a standard and shows commitment. This principle applies both in and out of the city and county.

Brad Bassett expressed concern for the future. Especially the children’s future. Mr. Bassett noted that he lives on the corner of 2 roads slated to be widened. He noted that he was a retired carpenter and also a cyclist. He expressed that it was safer to cycle on the freeway than along Westview Drive. He asked that the commissioners think it through, learn from past mistakes, and to use wisdom.

Robert Ballou, a cyclist, expressed that Westview Drive was not overly safe. Mr. Ballou commended both the process and the commissioners for working on this. He expressed that an equal voice had been given to both owners and developers. The growth of human-powered and electric bicycles necessitated ensuring interconnection. Mr. Ballou expressed that this plan was forward-looking. He did express concern about other factors, such as a “Jump Over Road.” Mr. Ballou expressed that it was beautiful country.

Paul Roelandt of Panorama Drive, expressed his appreciation for the county process and for hosting the hearing. He noted that the plan should be for the people who live there. There will be kids, schools, and vehicles. Mr. Roelandt expressed concern about a discussed "Jump Over Road."

Jon Whittaker noted that the Spring Creek Subdivision was platted in 1990 and it was a very different situation then. How to look forward was a real challenge.

Harold Pease, echoed the sentiments expressed. Mr. Pease agreed with Pat Sawyer. He expressed that by improving other north-south corridors, pressure could be mitigated along Westview Drive. Mr. Pease noted that there might come a time when other corridors were actually busier than Westview Drive. He had grandchildren and felt safe letting them play at a park adjacent to Westview Drive. Mr. Pease expressed gratitude for the commissioners listening, and that Richard Wilson was willing to listen and address his concerns.

Jonathan Stathis, Cedar City Engineer, expressed his appreciation to Reed Erickson and Richard Wilson for including Cedar City in the discussions and their willingness to work through these issues. Mr. Stathis explained that "Jump Over Road" was no longer a part of Cedar City's Master Plan. As a representative for Cedar City, he asked the commissioners that Cedar City's Master Transportation Plan be followed as it was currently laid out with the connection to Cross Hollow Drive. The "Scott Bird" property was currently being developed and there could be options for road connections there. He reported that there had been good discussions between the three developers and would like those discussions to continue. Mr. Stathis noted the "Jump Over Road" was in the city boundaries and the Cedar City Council would have to approve the connection. He agreed that the 100' ROW was the correct width for Westview Drive. He noted that he would be in favor of more discussions on cross sections where Cedar City boundaries were on one side and Iron County on the other. Richard Wilson noted that it was complicated currently with the number of lanes to consider and that would have to be discussed as the area grows. Consideration would also include housing development locations, road connections, road widths, room to maneuver on roads, and curb and gutter. Discussion continued regarding the connection to Jump Over Road and other possible connection options. Reed Erickson reported that the ICPC's recommendation was to use the Jump Over Road and Cedar City should be required to allow that connection, as it made more sense. Reed noted that one option on this issue would be to only approve Area 8 of the plan, or approve both Areas and exclude the Iron County portion of Jump Over Road for further discussion.

Ann Jakus noted that she understood that Cedar City had dropped the connection to Cross Hollow Drive and she was surprised to see it was back on for consideration as a connection. Mrs. Jakus expressed concern that the Scott Bird Development area was zoned Agriculture and he planned on building rentals and short-term rentals which would increase traffic. She noted that the Leavitt Group had been considering using 1950 S as a hiking area, not a road. Ann expressed that she was concerned that just because developers did not want a road connection in their area that they just continued to place connections in Cross Hollow to get to Westview Drive.

Patrick Sawyer explained that he felt the commissioners should take a stand with the residents that currently lived in the area. He did not understand why decisions were based on what the developer wanted, instead of the residents. Mr. Sawyer asked that the commissioners take into consideration the residents and follow the team that worked and presented this plan.

Marilyn Wood explained that some decisions were difficult to make that countered Cedar City and she expressed a desire to continue to work together. It becomes very difficult when the Cedar City Council votes against an item to go against their decision.

Craig Jakus explained that this plan was an Iron County decision. The commissioners needed to make their own decisions and residents should be given priority.

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

Joe Portolese and Patrick Sawyer continued to express that priority should be given to residents that currently live in areas that were up for any discussions and votes.

Richard Wilson recommended that there be continued discussions with the developers and Cedar City on the road connections. As for now, do not include the Iron County portion of

the Jump Over Road. In the future, hopefully, there would be a compromise between the developers and it was better to not create a situation of an unlikely road and a dead-end.

Michael Bleak made a motion to approve amendments to the Iron County Transportation Master Plan (Study areas 8 & 8A-Westview Drive and adjacent areas) excluding the road referred to as the "Jump-Over Road" as presented and recommended by Richard Wilson. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PUBLIC COMMENTS

Bill Stewart, a resident of Parowan City, noted that he lived adjacent to the Heritage Park in Parowan City. He reported that the owner of the motorcycle track in Red Canyon had built tracks in other places. Paul Cozzens explained that the track Mr. Stewart referred to did not pertain to the Iron County Commission. Sam Woodall, Iron County Deputy Attorney, noted that he would have to present his concern before the Parowan City Council.

Kim Langston, a resident of Red Canyon Estates, referenced the adjacent property discussed last meeting (APN C-1052-5). Mrs. Langston expressed frustration that the owner of said property continued to work on the race track on his property. She noted that on Facebook, the owner was bragging about building the track. No inspections were happening. She noted that he had become violent and tried to run his truck into her husband's side-by-side. Mrs. Langston expressed that there should be regulations against dirt bike tracks. She requested a hearing to vacate the road between lots 12 and 14. Jon Whittaker explained that the process would begin in the Clerk's office and would be difficult since the platted easement was being used. Jon noted that the challenge was that the owners' dedication from the recorded subdivision plat from 1998 included specific language dedicating the road and all easements to public use. Because of the broad wording on the subdivision plat, any vacation would be difficult and unlikely. They discussed that Deputy Beau Johnson had visited the property and had affirmed that the neighbor had the right to access the property. Mrs. Langston suggested that said neighbor had also stolen some water. She expressed that what he was doing was not residential and was very wrong.

Joe Portolese, a resident of Red Canyon Estates, asked whether the current well had a public easement and whether individuals could park on it. Jon Whittaker reviewed the dedicatory language on the Red Canyon Estates Subdivision plat. Mr. Portolese discussed fencing the well easement. They discussed beginning the vacation process and that it would be difficult and unlikely to succeed. Mr. Portolese noted that some of the neighbors had been served a Cease and Desist notice due to trespassing.

Michelle Portolese, a resident of Red Canyon Estates expressed frustration at the Cease and Desist notice that had been served. The adjacent land owner had also taken pictures of them in what felt like intimidation. She noted that the road had never been used until the neighbor moved in. Mrs. Portolese expressed that it was becoming a safety issue and she was afraid for her health. Iron County had never maintained this road, it was only used as a livestock trail.

Becky Helquist, a resident of Parowan, noted that on Sunday the owner of the property mentioned above, near the Heritage Park subdivision in Parowan, had put in a (separate) dirt bike track. Even though they spoke of mostly silent e-bikes, pit bikes were also used with a noise level of 96 decibels, similar to a chainsaw. She noted that the topography was bowl-shaped, which would cause the noise to reverberate. Mrs. Helquist wanted to be on record that (the owner of the Parowan property) photographed them when they were looking.

Michael Bleak, noted that it appeared to be the same property owner.

Joe Portolese clarified that he was not 100% sure it was the same owner. He reported that the property owner stopped on the freeway and took photographs of people looking at the race track. Joe expressed his continued concern at the lack of enforcing the law and that the situation was only getting worse. He knew that the commissioners were aware of the situation. Mr. Portolese asked if there was a cohesive vision for Iron County and what the commissioners want Iron County to be. He noted that he had noticed that in some areas in Iron County, the ordinances were not being enforced. The community of Red Canyon Estates was just asking that Iron County enforce the laws already in place. The residents in Red Canyon Estates all abide by the rules. This said owner does not abide by any rules and did not care if he didn't

because nothing could be done to stop him. There have been threats of lawsuits, verbal altercations, and intimidation. He was afraid to talk to him because of what might happen. The community was desperate to have the situation taken care of. It seems that vacating the road was the easiest way to handle this because the property did have another road to access. There had been no feedback from the county and they are all at a loss for what to do. Mr. Portolese did not want to be forced to live next to a motor cross track. No resident lived on the said property, zoned residential, and there was only the race track and storage of construction materials. He felt that the property owner was being catered to and the other residents were being kicked to the curb. Paul Cozzens noted that the Iron County Building/Zoning Official and Code Enforcer were working on the situation and they needed to be given the time to work through it. Mr. Portolese stated that he understood that it took time, but he was concerned about how far this would escalate before anything was done. He expressed his appreciation to the commissioners for what had been done thus far. Sam Woodall, Iron County Deputy Attorney, reported that he had spoken with the Code Enforcer and was told that they were in the 30-day process. A letter 30-day letter and a 7-day letter had been sent and if there was no response to those letters they would move forward with nuisance abatement.

Craig Wolfley, a resident of Red Canyon Estates, noted that he could not understand how one person could be allowed to take away privileges, rights, and safety of a community just to be able to accomplish what he wants to make more money. He did not move to Red Canyon Estates to live next to a race track and there had to be something that could be done. Mr. Wolfley agreed with Mr. Portolese that it seemed only this property owner's rights mattered.

Bradden Beaumont, Iron County Deputy Assessor, reported that the Assessor was in the process of executing a greenbelt audit on the said property owner, and they would be visiting the property on Friday to address the issues, as far as a greenbelt issue.

Marilyn Wood expressed that Iron County did need to follow the process and unfortunately, it took time.

Michelle Portolese reported that the property owner had an Attorney from St. George and he was pursuing that avenue. The other residents were trying to be patient. She did express appreciation for the update and for the commissioners listening. Michelle stated that she continued to be worried for her safety and was afraid to say anything for fear of being arrested. The property owner was trying to get them to respond by using antagonism.

Bill Steward, a resident of Red Hills Estates, reported that he had spoken with Dan Jessen, Parowan City Manager, and the Parowan Mayor and they said that the property owner told them that he was only to have E-bikes on the race track. Bill noted that there was no difference between E-bikes and Pit bikes. They both race in the same conditions and could go 70 mph and were designed for younger adults. Mr. Steward expressed his concern that Iron County would be liable and possibly sued if something were to happen.

Harold Linnastruth, a resident of Red Canyon Estates, reported that he had received a Cease and Desist letter from the property owner's attorney. Mr. Linnastruth noted that he had never met the man. Only three residents had received a letter and that included himself, Joe Portolese, and Michelle Portolese. He was concerned that someone was giving their names out.

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

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

CONSIDERATION OF TAX INCREMENT REIMBURSEMENT FOR COVE MOUNTAIN SOLAR POWER PLANT AND COVE MOUNTAIN 2 COMMUNITY REINVESTMENT PROJECT AREAS (CRA) FOR THE 2022 YEAR

Jon Whittaker, Iron County Clerk, explained that Danny Stewart, Iron County Economic Development Director requested that he report and that Cove Mountain Solar Power Plant and Cove Mountain 2 CRA had met all the requirements and recommended approval.

Marilyn Wood made a motion to approve the tax increment reimbursement for Cove Mountain Solar Power Plant and Cove Mountain 2 Community Reinvestment Project Areas (CRA) for the 2022 Year. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

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

DISCUSSION AND POSSIBLE APPROVAL OF A CONTRACT BETWEEN LAYTON CONSTRUCTION AND IRON COUNTY FOR THE CONSTRUCTION OF AN IRON COUNTY SHERIFF'S COMPLEX

Sam Wood, Iron County Deputy Attorney, expressed his appreciation to the Iron County Commissioners, staff, and everyone involved in the contract with Layton Construction for the construction of the Sheriff's Complex. It had been a long process and everyone worked together well. Sam reported that he went over the contract and felt comfortable with the contract as written. He noted that this was just the preconstruction phase of the project and recommended approval of the contract.

Michael Bleak made a motion to approve a Contract between Layton Construction and Iron County for the construction of an Iron County Sheriff's Complex. Second by. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF FUNDING FROM IRON COUNTY FOR THE IRON COUNTY CARE AND SHARE

Marilyn Wood, Iron Counter Commissioner, explained to Mr. Jetton, Iron County Care and Share, that with the upcoming building of the new Corrections Facility, the funds were not available to make a donation at this time. Marilyn presented Mr. Jetton with a donation from herself and Commissioner Cozzens in the amount of \$500. She expressed her appreciation for the presentation at the prior commission meeting. Mike Bleak explained that the commissioner would like Mr. Jetton to address them during the next budget process in October. Paul Cozzens noted that working with Lucas Little, Iron County Auditor, they could possibly create a line item in the budget to help fund the Iron County Care and Share. Paul recommended that Mr. Jetton could place a notice in the newspaper, or have an article written to challenge residents to donate. Jon Whittaker noted that possibly there could be funding from a CDBG grant. Paul Cozzens reported that being on the board he would contact members.

RATIFICATION OF THE SALE OF A 2019 FORD MUSTANG, VIN #1FA6P8CF0K5193511

Wade Adams, Iron County Fleet Manager, reported that the ratification was for approval of the sale of the Ford Mustang.

Marilyn Wood made a motion to approve the Ratification of the sale of a 2019 Ford Mustang, VIN#1FA6P8CF0K5193511. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH SOUTHERN UTAH UNIVERSITY (SUU) TO UTILIZE THE INTERGOVERNMENTAL INTERNSHIP COOPERATIVE PROGRAM TO ASSIST IN THE RESTORATION OF THE VERMILLION CASTLE PICNIC AREA (5-MILE)

Mike Worthen, Iron County Natural Resource Management Specialist, Josh Anderson (SUU), reported that the Natural Resources would like to utilize the SUU Intergovernmental Internship Cooperative Program to assist in the restoration of the Vermillion Castle Picnic Area known as 5-Mile. Mike reported that at this time, the SUU Program was in the process of entering into an agreement with Cedar Breaks for a 4-man crew and boss. This would allow the crew to work part-time at Cedar Breaks and 2 or 3 days at 5-Mile. This agreement was a great

idea and allowed someone there to oversee the work that the crew would be working on, and would free Bryce and himself to work on different projects. This agreement between SUU and Iron County would allow funding of \$18,760 from a grant.

Michael Bleak made a motion to approve an agreement with SUU to utilize the Intergovernmental Internship Cooperative Program to assist in the restoration of the Vermillion Castle Picnic Area (5-Mile). Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

CONSIDERATION TO BE A COOPERATING AGENCY FOR DEVELOPMENT OF THE PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT AND ASSOCIATED RESOURCES MANAGEMENT PLAN AMENDMENTS FOR UTILITY SCALE SOLAR ENERGY DEVELOPMENT ON PUBLIC LANDS

Mike Worthen, Iron County Natural Resource Management Specialist, explained that this item was required due to a Biden Administration effort to increase solar energy investment on public lands. The BLM had conduct an Environmental Impact Statement (EIS) to identify lands for solar. In 2015 there were six areas in west, but now more were wanted. Reed Erickson noted the permits would move ahead. Mike Worthen noted it would be good to be cooperating agency by this MOU. He recommended approval. Marilyn Wood expressed that she was against any solar on public lands. The Grazing act 1976 act mandated multiple uses on public lands, and solar does not allow for multiple uses. Mike Worthen noted that the MOU only identifies potential areas for solar. Marilyn Wood expressed that it would be good for Iron County to be a cooperating agency. Iron County already has the most solar on private property. It should not be on public lands. This MOU will allow Iron County a say in the process. Marilyn Wood made a motion to approve to be a Cooperating Agency for the development of the Programmatic Environmental Impact Statement and Associated Resources Management Plan Amendments for Utility-Scale Solar Energy Development on public lands. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A GRAZING AGREEMENT BETWEEN KEN ROBINSON AND IRON COUNTY ON APN: D-968-4

Jon Whittaker explained that this land had previously belonged to Paul Lunt. This was the land on which Iron County intended to build a Jail. Ken Robinson had done fences and weed abatement since Paul Lunt had owned the land. It was now owned by Iron County. Bradden Beaumont noted that once the agricultural use was ended, no rollback taxes would be due, similar to BLM land. Michael Bleak made a motion to approve a Grazing Agreement between Ken Robinson and Iron County on APN: D-968-4. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL TO TERMINATE THE AGREEMENT WITH ZIONS BANK FOR MUNICIPAL ADVISORY SERVICES

Sam Woodall explained that Iron County had approached another municipal advisor, and would end its contract with Zions Bank. Jon Whittaker noted that there was a requisite 60 period and he would send a letter giving notice if the county moved forward with this item. After that period, Iron County would address the issue of a municipal advisor. Marilyn Wood made a motion to approve the termination of Zions Bank for municipal advisory services. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Alexis Sunderland as a Full-Time Legal Assistant in the Attorney's Office, effective May 1st. This was a backfill of a vacant position; the re-hire of Gary Orton as a Part-Time Reserve Deputy 1 in the Sheriff's Office - Patrol, effective May 1st. This was a backfill of a vacant position; the re-hire of Trevor Johnson as a Full-Time Roads Maintenance Worker, effective May 1st; the new hire of Kelton Reed as a Seasonal Outdoor Maintenance Technician for Tourism/Parks & Recreation, effective May 1st.

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

Bruce Anderson, Iron County Public Works Department Director, presented a Retention/Recruitment request for additional pay. The Iron County Public Works department was down 3 employees in Roads and 2 in Landfill. Bruce explained that a recently enacted federal law made it more difficult to acquire a CDL. These additional requirements have made it more difficult to do on-the-job training. Recently, they interviewed and hired a trainee at the Landfill who left before termination. Bruce noted that the Road Department maintains 270 miles of paved roads, 420 miles of gravel roads, and 288 miles of dirt roads. Being short-staffed makes road maintenance difficult. The roads are in rough shape. The Landfill continued to grow, with new cans being delivered each week. Iron County was the fastest-growing county in Utah. During the last week, the Landfill had its busiest days ever. His proposal was to move all employees that are required to have a CDL be moved up 2 grades. This would increase starting pay from \$17.95 to \$19.79 per hour. This proposal was based on neighboring counties' pay. Bruce expressed that this change would help. During interviews, interviewees have consistently expressed that they simply cannot work for less than \$20.00 per hour.

Nicole Rosenberg asked why the increases would be for all CDL employees, not just new hires. Marilyn Wood replied that only increasing new hires would cause wage compression. The longest-serving drivers would make less than new hires. Bruce Anderson noted that, to fund this request, monies could come from additional funds from the State of Utah, which increased Class B road funding, also, most CDL employees were under an enterprise fund. Bruce understood that only 4 CDL drivers were paid from the General Fund. He noted that the request would cost Iron County \$212,743.10. Marilyn Wood noted that this total would come from several departments and funding sources. Bruce Anderson had surveyed other counties and found that starting wages for other adjacent counties were Washington, \$22.00 per hour; Kane, \$21.50 per hour; Beaver, \$21.50 per hour and Garfield \$22.00 per hour.

Paul Cozzens noted that he had given this issue a great deal of thought. Paul noted that important roads such as Right Hand Canyon Road and Vandenberg Road had damage that needed to be repaired. This pay issue was primarily one of supply and demand. There was a current high demand for CDL drivers. This proposal only affects CDL employees, that is how Paul can justify the pay increase.

Mike Bleak expressed that he never wanted to stand in the way of employees receiving pay increases. However, several department heads were against this increase. Mike noted that when Iron County implemented the Step in Grade process and used up the excess cash flow that it enjoyed, the commissioners asked department heads to hold off on any additional requests for pay for at least a year. If it were to go through, they too, would be asking for additional pay for their employees. Mike noted that the Jail would be down 6 to 8 employees by summer. He expressed that the proposal felt a little like "cherry picking" departments and might cause additional mid-year requests. Despite those concerns, Mike expressed that Bruce Anderson's proposal was necessary and that he supported it.

At Jon Whittaker's request, Jennifer Bradbury, Iron County HR Director, recollected that, when Iron County re-implemented the Step in Grade system in 2022, they simply placed all employees within their existing pay scale. They knew that matching the industry standard wages would not be possible. Statewide, Iron County has the lowest starting pay. Law Enforcement is closer to parity, but competition is increasing. For example, a deputy recently moved to

Washington County and received a \$6 per hour pay increase. Marilyn Wood expressed that constructing a new jail needed to be a priority, but she hoped that state and federal inmates would bring in new money.

Sheriff Carpenter noted that he had been dealing with this type of issue for 40 years. While trying to increase all employees' pay was a worthy pursuit, he learned that different challenges come up at different times. Recently, 50% of his office was vacant. There are simply economics at play. Sometimes the commissioners need to look at what was presently happening. This is not always feasible for all employees, but some departments are experiencing more urgent problems. Situations change. He expressed optimism that, once a new jail facility is built and functioning, some positive cash flow could be generated. This should be considered as the emergency that it is.

Marilyn Wood noted that often, this type of mandate comes down from the state and federal government. Making a CDL more difficult to obtain has increased costs. The federal government does not consider what additional burdens this type of mandate would have on counties, cities, or businesses. This has cost the entire country perhaps billions of dollars. Legislatures need to consider the downstream costs of such mandates.

Paul Cozzens noted that he had called Brennen Wood at Southwest Technical College (Southwest Tech.) about helping with CDL classes perhaps in the evenings. They discussed offering classes in the evenings and driving during the day. This would reduce the burden for on-the-job training, or at least accelerate the course. Bruce noted that he had spoken with Brennen, and they were going to meet to discuss the idea.

Marilyn Wood made a motion to approve the as presented by Bruce in the amount of \$212,743.70, effective April 30th. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

The commissioners expressed their appreciation to Bruce Anderson, Jennifer Bradbury, and Betsy Cummings.

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

