

**IRON COUNTY COMMISSION MEETING
MAY 22, 2023**

Minutes of the Iron County Commission meeting convened at 9:00 A.M. May 22, 2023
in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

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

Also present:

Karsten Reed	County Assessor
Lucas Little	County Auditor
Curtis Crawford	County COA
Carrie Christiansen	County Deputy Auditor
George Colson	County Emergency Management
Ryan Riddle	County Fire Warden
Wade Adams	County Fleet Manager
Jennifer Bradbury	County HR Director
Reed Erickson	County Planner
Candace Reid	County Public Defender
Kenneth Carpenter	County Sheriff

SYNOPSIS

ADJOURNMENT	12
APPROVAL OF CLAIMS FOR PAYMENT	2
APPROVAL OF MINUTES	2
DEPARTMENTAL REPORTS.....	2
FUNDING REQUEST FROM RPO FOR FY 2023-2024	7
INVOCATION	2
LOCAL CONSENT PERMIT FOR THE “CULTURA SUMMER FESTIVAL”	7
MOU, FIRST RESPONDER MENTAL HEALTH SERVICES	8
NON-DELEGATED.....	12
PERSONNEL	11
PLEDGE OF ALLEGIANCE.....	2
PUBLIC COMMENTS	6
PUBLIC HEARING, PARTIAL ROAD VACATION APN: D-171.....	5
RATIFICATION REGARDING THE USE OF UNMANNED AERIAL VEHICLES (SUU)	9
RESOLUTION 2023-6	9

ROLLBACK APPEAL, APNs: E-281-2, E-282-2, E-282-282-1, AND E-296-1.....	10
2022 FRAUD RISK ASSESSMENT	8
UTAH DEPARTMENT OF AGRICULTURE PRESENTATION	7

INVOCATION

An invocation was offered by Curtis Crawford.

PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by George Colson.

APPROVAL OF MINUTES

Marilyn Wood made a motion to approve the minutes of the Iron County Commission meeting held, May 8, 2023. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

APPROVAL OF CLAIMS FOR PAYMENT FROM

Michael Bleak made a motion to approve Claims for Payment from May 8, 2022 to May 21, 2022. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DEPARTMENTAL REPORTS

Jon Whittaker, Iron County Clerk, explained that there were a couple of changes to the layout of the agenda to reflect the actual order. Jon reported that the Clerk’s Office was doing well and keeping busy. The US Department of State reported that they were processing close to 80K passports per day. His office was quite efficient in accepting passport applications. He reported that the budget was on track. He was concerned with the Travel & Training budget. Registration for himself and Shaneal to attend the Utah Association of Counties (UAC) conference was \$500 each twice a year and his budget was \$3500. He had just returned from attending a Legislature meeting and the Clerk’s Summer Conference was in Vernal this year. Therefore, he was concerned that the travel and training budget might go over. Jon reported that his office staff was working well together and they were beginning preparation for the Municipal Primary Election. He and Shaneal Bess had been working with the new print company, K & H, on the ballot envelope design. Preparation for the new jail continued to move forward. The committee was getting closer to a water agreement with Cedar City. The architect had given him a calculation on fixture counts. Jon noted that he pulled counts from Uintah County to compare. It seemed that Uintah County did not have the outside water tied to its culinary water because usage went lower in the summer months. Jon asked the architect to clarify the numbers before he submitted them. Marilyn Wood reported that at the previous jail meeting, they discussed sewer issues. Some recommended running the sewer line under the railroad to the west. There was also a discussion to connect to the connection in front of the IFA building. Jon explained that the sample Request for Proposal (RFP) was completed. Watson was hired for the initial Geo-tech to keep things rolling. A full RFP would be out for the civil side and sewer, elevations, and utilities would be included. Jon reported that he and Lucas Little, Iron County Auditor, had worked on on Truth in Taxation. Iron County would need to declare intent soon. Paul Cozzens reported that he had an individual reach out to him that was very upset that Iron County was going to build a new jail. The individual had not attended any of the meetings or done any research about the long process. After a 3.5-hour tour of the current jail, they were then in total support.

Curtis Crawford, Iron County Council on Aging (COA) Director, reported that the Cedar City and Parowan Senior Centers operations were doing well. Between the two centers, there were approximately 200 meals provided for Meals on Wheels per day and around 65 congregate meals. Curtis noted that he had begun to put a limit on the number of congregate meal reservations, as the demand was reaching the limit. Likewise, they were making every effort to make sure the Meals on Wheels patrons were qualified. State and Federal Guidelines

state that a patron must be “Home-Bound” to receive the services. If they could drive a vehicle, then that disqualified them. Mr. Crawford reported that next week the Parowan Senior Center would have the “big” inspection. It had been 8 years since the last inspection. The inspectors would go over everything with a “fine tooth comb.” The Cedar City Senior Center had an inspection in 2022 and the results were excellent. He reported that Health & Well-Being and Recreation Activities were doing well. The Cedar City Senior Center had 18 various classes and activities scheduled and 12 different activities scheduled in Parowan. Curtis noted that the Parowan Activity Director was leaving and he would be filling the open position soon. He reported that the buildings were maintained and doing well. The elevator in the new North Wing of the Cedar City Senior Center was fixed a couple of weeks ago with a new elevator drive motor. The problem with the basement floor in Cedar City had possibly been identified and he was waiting for Carter Enterprises to schedule a time to fix the problem.

George Colson, Iron County Emergency Management, reported that the budget was on track. George explained that in 2020 he had requested a budget increase for the emergency notification program from Everbridge. With improvements to the system made by Everbridge, he could now reach 85% of participants. He noted that Everbridge had billed Iron County late (this year) therefore he had to move funds around to pay it. George reported that he applied for the Emergency Management Performance Grant for FY23 and was successful. He purchased and distributed “Okay (Green) or Need Help (Red)” signs for homes that were visible from the road. He purchased three Sandbag Machines and placed one in Kanarraville, one in Parowan, and one at the Iron County Road Shed. He noted that he applied, successfully, for state flood funds to use on mitigation projects. The amount awarded was \$38K, which helped him purchase two of the three Sandbag Machines and water pumps. He was working with Cedar City building transportable flood trailers. George reported that he had the Spring Community Emergency Response Team (CERT) training. There were 20 participants. He noted that Iron County had the most robust CERT program in the State of Utah. There were trained CERT teams in Kanarraville, Old Iron Town, Beryl, and Cedar City and each had an emergency trailer at their site. Mr. Colson reported that he was in the process of re-stocking sandbags. There were approximately 200K sandbags on hand at all times and he would be purchasing more. During the flooding of 2022, there were approximately 150K bags distributed between Cedar City, Paragonah, Parowan, Kanarraville, Beryl, and Enoch. Paul Cozzens noted that there was sand available in the recharge pits that could be hauled to the road shed. George reported that he attended the Pre-Fire Season meeting. He and Commissioner Wood went on a tour with the Forest Service to observe some of their mitigation projects. There was still concern about fires this year because the grass was high and would eventually dry out. He attended the Iron County Public Information Officer’s meeting. Mr. Colson noted that he had negotiated a Memorandum of Understanding (MOU) with Southern Utah University (SUU) Aviation for them to do drone flights up the Iron County channels. He also continued to supply Narcan to the Sheriff’s Office, Iron County Jail, and Adult Probation & Parole. George reported that he was the Regional Emergency Management Training and Operations Chair. He had been preparing for a Regional Tabletop exercise in June. He noted that he had met with dispatch, Air Ambulance, and Gold Cross to discuss and coordinate any issues that might come up. Mr. Colson closed by reporting that he would be attending the Governor’s Public Safety Summit on May 23rd and 24th.

Wade Adams, Iron County Fleet Manager, reported that the budget was on track. He was hopeful about the delivery of the next round of vehicles next month if all goes well. He had contacted Young Automotive and they reported that the vehicles were still being built. Wade noted that he had replaced 51 turnover vehicles with 60 left to go. General maintenance and repairs had been busy and were running behind. He reported that Kade Beaumont would be leaving and maintenance and repairs may fall further behind until a replacement was hired. Marilyn Wood reported that if there were two good applicants, both applicants could possibly be hired.

Wade reported that the current scheduling program he was using was not working as expected and he would need to move to another program. Commissioner Wood reported that Jared Wilson, IT Director, was aware of the issue and began the changeover.

Jennifer Bradbury, Iron County Human Resource (HR) Director, reported that HR was currently under budget and since the previous report HR had posted, interviewed, and hired 10 Full-Time positions and 6 Part-Time positions. Since the previous HR report, there were 20 promotions/transfers and she was currently in the process of recruiting 13 Full-Time positions and 2 Part-Time positions. Jennifer noted that both she and Betsy Cummings finished a 6-month extensive training last month and had both tested, passed, and earned the National Professional in Human Resources (PHR) accreditation from Human Resources Certification Institute. She reported that employee turnover from January to May was 8.47% or 21 positions. In comparison for this time last year, it was at 7.26%, or 18 positions. Jennifer reported that as of May 16th, the Internal Revenue Service (IRS) announced the 2024 limits for a Health Saving Account (HSA) as well as the High Deductible Health Plan (HDHP). The annual limit on HSA contributions for self-only coverage would be \$4,150, a 7.8% increase. For family coverage, the HSA contribution limit increased to \$8,300, up 7.1%, and participants 55 years and older could contribute an extra \$1,000. The 2024 HDHP must have a deductible of at least \$1,600 for self-only coverage or \$3,200 for family coverage. The annual out-of-pocket expense maximums (deductibles, co-payments, and other amounts, but not premiums) cannot exceed \$8,500 for self-only coverage in 2024 or \$16,100 for family coverage. Mrs. Bradbury reported that she had met with the Workers Comp representative and received a large snapshot of the Iron County figures. So far, in 2023, there had been eight accidents, compared to 22 in 2023. The Blomquist Hale utilization was 18% and the PEHP utilization was over 100% for the first quarter of 2023. Jennifer reported on employee Anniversary milestone: Celebrating 5 years was Eric Rohmann (Patrol), Ron Larson (IT), and Bryce Williams (Parks & Recreation); Celebrating 10 years was Shaneal Bess (Clerk), Cassie Palmisano (Corrections, and Curtis DeMille (Engineer); Celebrating 15 years Brent Burr (Patrol); and Celebrating 20 years was Michelle Walker (Corrections).

Candace Reid, Iron County Public Defender, reported that the budget was on track. The Public Defender's Office continued to run well. Candace noted that currently there was one murder jury trial and one jury trial in Juvenile Court. She reported that Iron County was participating in the Foster Care Cases reimbursement program and would be able to collect funds for the Juvenile Case. There was one Public Defender position open, which would be a one-year grant-funded position.

Marilyn Wood, Iron County Commissioner, reported that on May 9th the staff and commissioners met to discuss updates on the belt route study. On May 11th as George Colson reported, they went on a tour with the Forest Service to observe some of their fuels mitigation projects. After the tour, Marilyn noted that she attended the Miss Iron County Rodeo contest. The 2023 Iron County Rodeo Queen was Kodie Stowell, Princess was Liberty Vrska, and Jr. Princess was Denni Dannelly. The Rodeo Royalty would hold a scholarship dinner fundraiser on June 12th at the Iron County Fairgrounds. Commissioner Wood reported that on May 17th there was a jail meeting. She attended the Western Interstate Region Conference/National Association of Counties held May 17 through 19 in Washington County. She and Paul Cozzens went on a tour of the Washington County water projects. They were able to observe the Quail Creek Diversion Dam that diverted water from the Virgin River through an 8.7-mile, 66-inch steel pipeline to the Hurricane Hydropower Plant before delivery to Sand Hollow and/or Quail Creek reservoirs.

Michael Bleak, Iron County Commissioner, reported that on May 6th, he helped the Tourism Bureau to welcome the Kyle Petty Charity Ride Across America. The Charity Ride raises funds to send youth with chronic medical illnesses to camp at Victory Junction. There were approximately 300 bikers participating in the 2023 ride. Mike noted that while talking with Kyle Petty he introduced himself as being a member of the Iron County Commission. Mr. Petty then introduced Mike to his father, Richard Petty, who had been a former commissioner for 16 years. They were able to have a discussion on Western politics. He reported that Maria Twitchell, Iron County Tourism, and her staff visited with the riders and gave them many reasons to return to Iron County. Mike reported that he meets with George Colson frequently to coordinate projects, also Ryan Riddle. As George mentioned the largest concern at this time was the possibility of having a high fire season. Everyone was busy with mitigation projects and

moving forward before the fire season begins. Commissioner Bleak noted that on Saturday, May 20th the Children's Justice Center (CJC) held its Annual Fun Run fundraiser. This year the Fun Run was in Enoch Coty at the site of the new center. The theme was Star Wars and there were approximately 220 participants. He reported that Darth Vader made an appearance to hand out medals.

Paul Cozzens, Iron County Commissioner, reported that there was a landowner in Newcastle that was willing to trade for land owned by Iron County. The offered land was a great source for mining gravel, which would save Iron County a tremendous amount of money. Paul noted that he had attended the Behavioral Health meeting with Five County AOG which went well. He continued to work on recharge projects. Commissioner Cozzens reported that the water input into the Schmidt Pit was 20-25 Cubic Feet per Second (CFS), which overflowed into the Iron County Pit and was recharging beautifully. High-Density Polyethylene (HDPE) pipe was placed that went from the Schmidt Pit to Airport Road. He noted that the water flow from the snowmelt was slowing down. The last four nights the flow was peaking at 700 CFS and last night it was down to 500 CFS. When there was heavy water flow for 6 weeks the banks in the culverts can become saturated and fail. There had been 8-10 feet of bank lost east of the Airport lights where the water turned. Paul called Cedar City Mayor Green for permission to use the city's loader, as Iron County's loader had broken down, and Jeff Hunter gave his permission to use all the large rocks to shore up banks. There were four loaders working to shore up the banks. The next night to the west of the DeMille pit 5 feet of road was lost within two hours, so they worked to shore up that banks. Western Rock brought their 988 loader and many worked until 11:30 p.m. There was another issue north of Monarch Meadows and he and Curtis DeMille dumped two belly dump truck loads of concrete pieces. The landfill brought some large rocks that were placed to stop the erosion and stabilized the area. Commissioner Cozzens reported that he attended a Water Stakeholders meeting with the Natural Resources Conservation Service (NRCS). There were discussions for plans to improve the channel.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PARTIAL ROAD VACATION OF ENOCH ROAD, A PUBLIC ROAD, LOCATED NEAR 5900 N. ENOCH, UT, APPROXIMATELY 0.41 ACRES (66 FEET WIDE BY 238.39 FEET IN LENGTH, INCLUDING A 50 FEET RADIUS CUL-DE-SAC) WITHIN THE N½ SE¼ OF SECTION 6, T35S, R10W, SLB&M, IRON COUNTY, UT (APN: D-171)

Reed Erickson, Iron County Planner, explained that there was an issue in approving this item, which he would report later in the presentation. He noted that it was still possible to hold a Public Hearing as listed on the agenda, but there may be a delay in the vote. Reed gave a brief description of the location. He reported that Old Enoch Rd had been locked for years, and was located on the property. The applicant, Spencer Jones, has requested to vacate the road from the point of the locked gate south. The road from the gate north was not a public road and had never been opposed or contested by use or other means. Mr. Erickson explained that when the notice was advertised, the effective date of May 3, 2023, was not a part of Utah Code 72-3-108. Under Utah Code 72-3-108 – County roads-Vacation and narrowing-Notice requirement took effect on May 3, 2023. Utah Code 72-3-108 (2)A (a) now reads, "A county may not vacate a county road unless notice of the hearing is published for the county, as a class A notice under Section 63G-30-102, for at least four weeks before the day of the hearing." Reed noted that the "class A notice" was new this year passed by the legislature. He reported that prior to May 3rd the statute allowed advertisement in the newspaper for 4 consecutive weeks (which was done), posted on the State website for 4 consecutive weeks; and notices were sent to adjacent property owners. Everything that was allowed prior to May 3rd had been completed except posting on the Iron County website, which was now a new requirement under "class A notice." Reed noted that the conflict came under Utah Code 17-27a-609-S – Petition to vacate a public street, where they only required notice 10 days prior to the public hearing. He explained that the advertised public hearing could be held today and he would be willing to advertise for 4 weeks on the Iron County website and resend notices to the adjacent property owners. The item could then be placed on the

June 26th Commission meeting agenda to be voted on. Reed recommended that the public hearing be opened and not closed until the June 26th meeting.

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open.

Worth Grimshaw, a citizen of Iron County, reported that his wife owned property directly south of the said road and they strenuously opposed closing the road. He believed that the padlock on the gate was illegal. Worth noted that the road had been open through more than half of his lifetime. The Prescriptive Right of Way (ROW) runs north of Enoch to the Parowan Gap. Iron County needed to open the road and make it available for public use. He stated that the road had always remained open until Mr. Jones put up a gate and locked it.

Vern Grimshaw, a citizen of Iron County, noted that he had nothing against Mr. Jones and he was a good friend and neighbor. Vern reported that he used the road and there were many community events held in the Big Wash area, and there had been no gate. Mr. Grimshaw had two grievances. One was that Mr. Jones put a lock on the gate and the other was the closing of the Old Spanish Trail. Vern stated that he was opposed to the lock on the gate. It is easy to get out and open and close a gate..

Arlen Grimshaw, a citizen of Iron County, reported that he had used said road since he was 8 years old. He recollected that as a child it was an excellent road for a horse ride, but not so much on a bicycle. He also remembered many activities that were on public lands and the road was used as access to those areas. There was a fence on the east side of the property and never a locked gate.

Gary Wilken, a citizen of Iron County, stated that the road was not closed and had been used for many activities. The road had been open longer than it had been locked.

Paul Cozzens, Iron County Commission Chair, declared Public Hearing to remain open until the June 26th Commission meeting.

PUBLIC COMMENTS

Kim Langston, Red Canyon Estates, asked if there was any updated information as to when the road vacation might be. Jon Whittaker noted that this road vacation had been requested many times and there no action had been taken as of yet. Jon explained that vacating the road was a lengthy process. He needed to identify and clarify the easements before moving forward. The owner does have access to his property on the road to the east

Kim Langston noted that the owner was still using the road in the subdivision. He did not obey the speed limit in the subdivision, which was 25 mph. His property was zoned Residential. She stated that it seemed that only his rights were being protected. Paul Cozzens noted that most of her concerns fall into civil law and she could pursue it that way.

Jon Whittaker reported that Mr. Davis was told to use the east easement when he closed on the purchase of his land. Jon noted that the easement was open to public use before the subdivision was created. Marilyn Wood noted that he did have access to the road in the subdivision because it was a public road. Jon Whittaker reported that there had been a “chain of discussion” put in place between Terry Palmer, (Building and Zoning) and Michelle Portolese. Mrs. Portolese was the spokesperson for Red Canyon Estates and all concerns and questions should be directed to her.

Michelle Portolese, Red Canyon Estates, reported that she was not informed that she was the spokesperson, but was happy to do so. Michelle stated that she had been accused of defamation of character and trespassing by Mr. Davis. She wanted to clarify that she had never trespassed on Mr. Davis’s property. She had no reason to go on his property as she could just look out her window.

Phil Kolinsky, Leeward Renewable Energy, explained that he was here to speak about the Parowan Solar project. Phil reported that the solar project was moving ahead. His intent was to obtain the required permits and approvals by the end of 2023, so they could begin to market the project. Mr. Kolinsky noted that he was in town for a couple of days and wanted to take this opportunity to introduce himself.

DISCUSSION AND POSSIBLE APPROVAL OF THE IRON COUNTY RURAL PLANNING ORGANIZATION (ICRPO) FY23-24 FUNDING REQUEST, APPROVED BY THE IRON COUNTY COUNCIL OF GOVERNMENTS WITH FUNDING TO COME FROM THE LOCAL CORRIDOR PRESERVATION FUND IN AN AMOUNT NOT TO EXCEED \$44K

Reed Erickson, Iron County Planner, explained that the RPO funding process had been active since 2008. The RPO request was brought before the commission annually for approval to continue support of the RPO.

Marilyn Wood made a motion to approve the Iron County Rural Planning Organization TY23-24 Funding request, approved by the Iron County Council of Governments with funding to come from the Local Corridor Preservation fund in an amount not to exceed \$44K. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL FOR LOCAL CONSENT FOR THE EVENT "CULTURA SUMMER FESTIVAL" HELD ON JULY 29, 2023 AT THREE PEAKS OASIS

Mercedes Savaiinaea, St. George Latin Dance Night, explained that she teaches various types of Latin dancing. Lessons were one hour then a social afterwards. Mercedes noted that she held an event once a month. She reported that she had collaborated with the Cultura Summer Festival and Three Peaks Oasis to create a summer festival. The festival would feature Latin Disc Jockeys (DJs). There would be 10 food vendors, overnight camping, a waterslide launch, a sand volleyball competition, and water sports. With the approval from the Iron County Commission, she would like to provide a Beer Garden for those 21 and over.

Michael Bleak made a motion to approve the local consent for the event "Cultura Summer Festival" to be held on July 29th at Three Peaks Oasis. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

PRESENTATION FROM THE UTAH DEPARTMENT OF AGRICULTURE ON THE AGRICULTURE PROGRAMS, GRANTS, AND RESOURCES AVAILABLE THROUGH THE DEPARTMENT

Commissioner Craig Buttars, Utah Department of Agriculture (UDOA), explained that they were holding these meetings throughout the state with county councils and commissions. Craig gave a brief history of the UDOA. The Department of Agriculture and Food (UDAF) was responsible for the administration of Utah's agricultural laws, which mandate a wide variety of responsibilities. The UDAF's responsibilities include stewardship, inspections, regulation, consumer protection, rulemaking, loan assistance, pest and disease control, and marketing and Economic Development. He reported that there were 10 different divisions within the UDAF, with Grazing Improvement Program being the most recent division.

Kelly Pehrson, Deputy Commissioner with the UDOA, reported on the UDAF's Strategic Goals, which included Agristruature, Workforce Development, Ag Land Preservation, Supply Chain Development, Ag Education, and Customer Service.

Craig Buttars reported on the Benefits of Agriculture in Utah. Agriculture provides food, fiber, and animal feed; strengthens our local food security; creates rural jobs, conservation, and open space preservation; large economic driver for rural areas; and provided water and resources for wildlife. At a glance, the market value of agriculture products sold in Iron County was \$133,512K. There are 486 farms and 512,940 acres of farmland. The average farm size was 1,055 acres and 64,380 acres irrigated. Craig noted that 93% of farms in Iron County were family farms. Sales by type were 41% crops and 59% livestock. Mr. Buttars reported on Iron County agriculture rankings in the State of Utah. Iron County was 2nd in other crops and hay, horses, ponies, mules, burros, donkeys, hogs, and pigs; 3rd in nurseries. Greenhouses, floriculture, sod, milk from cows, sheep, goats, wool, mohair, and milk; 4th in total crops; 6th in livestock, poultry, and products; 7th in the total market value of ag products; and 8th in fruits, tree nuts, and berries.

Kelly Pehrson reported that a pilot program, Utah Food Security Processing Grant (UFSPG), began in 2022, and was designed to increase in-state processing capacity; increase agricultural and food processing infrastructure; protect the security of the food supply; and increase the availability of locally produced food in Utah. In 2022, UDAF received \$1M for the pilot program, and another \$1M was appropriated for 2023. In 2022, UDAF received 79 applicants across 26 counties with \$14M in requests. Seventeen grants were awarded ranging from \$10K to \$150K. He noted that the USDA was also awarded two federal grants. The first was a Regional Food Business Centers Program for \$5M as part of the Southwest Region Food Business Center. The second grant was a matching grant to the pilot program for Resilient Food Systems Infrastructure Program.

Craig Buttars reported that the Water Optimization Program began in 2019 to provide grants to farmers, ranchers, and canal companies to upgrade irrigation systems to improve water efficiency. Projected water savings was 172,847 acre-feet annually. The Ag Stress Assistance program was a new program launched in partnership with USU Extension AgWellness. Agriculture is one of the most at-risk industries for mental health challenges and suicide. This program provided free mental healthcare vouchers for farmers and their families; training for producers on how to help community members; and training for 988 Crisis Line responders statewide.

Kelly Pehrson reported that HB 371 Working Farm and Ranch Protection Fund works to establish conservation easements to preserve open space and agricultural lands. It required counties to deposit 20% of rollback taxes into a fund dedicated to preserving agricultural land and open spaces. It could be used to purchase conservation easements or for similar purposes. Mr. Pehrson noted that the UDAF's Agricultural Mediation Program was a free service available to Utah producers to mediate disputes with USDA agencies, as well as non-USDA disputes, on issues including farm loans, farm succession planning, or neighbor disputes.

Craig Buttars noted that Utah agriculture was essential to protecting our local food supply, boosting rural economies, and preserving open space, and quality of life.

DISCUSSION AND POSSIBLE APPROVAL OF THE 2022 FRAUD RISK ASSESSMENT

Lucas Little, Iron County Auditor, explained that the form was uploaded to the state auditors' website and required to be completed every year. Lucas reported that Iron County received 375 points out of 395.

Marilyn Wood made a motion to approve the 2022 Fraud Risk Assessment as presented by Lucas Little. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE IRON COUNTY SHERIFF'S OFFICE AND THE STATE OF UTAH, DEPARTMENT OF PUBLIC SAFETY FOR STATE FUNDS GRANTED FOR THE "FIRST RESPONDER MENTAL HEALTH SERVICES"

Lieutenant Dave Mitchell, Iron County Sheriff's Office, explained that HB23 was a grant program for Mental Health (MH) resources for first responders. It required all first responder agencies to provide or make available mental health resources for employees, spouses, children, and retirees. HB23 would be appropriated in FY-2023 with a one-time \$5M. Lieutenant Mitchell reported that currently, Iron County had access to eight-trained peer support personnel, counseling sessions for all its employees through "Mental Health Solutions" and ComPsych, policies and procedures that promote Officer help for safety and mental health, and required to attend one (1) one-hour mental health classroom training annually during their in-house training sessions. He noted the following were the Iron County expansion service: 1. Expand from zero counseling sessions to two full-hour sessions annually. 2. Implement a Spousal Support Program. 3. Have funds available for Critical Incident Debriefs as needed. 4. Provide funding for any deputy needing a Fit for Duty Assessment. 5. Provide funding to any deputy who suffers a significant mental health issue and needs counseling beyond the scope of the sessions provided.

6. Expand the Peer Support Team from 10 deputies to 14. Lieutenant Mitchell explained that if the amendments were approved today, the State of Utah would allocate \$128,832 towards the expanded amendments. Mr. Mitchell explained the dollar amounts needed to support the proposed plan. He noted that Sheriff Carpenter signed an MOU, and once approved, it would be mailed to the state for Iron County to receive funds.

Sheriff Carpenter reported that HB23 was passed 2 years ago, but it was not implemented until this year. There may be more funds available, but that was still questionable. Sheriff Carpenter noted that HB23 was a mandated action from the state. The amendments were well put together and were a well-rounded program to abide by state law.

Michael Bleak made a motion to approve a MOU between the Iron County Sheriff's Office and the State of Utah, Department of Public Safety for State Funds granted for the "First Responder Mental Health Services." Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

RATIFICATION OF AN INTERLOCAL AGREEMENT BETWEEN SOUTHERN UTAH UNIVERSITY (SUU) AND IRON COUNTY FOR THE USE OF UNMANNED AERIAL VEHICLES

George Colson, Iron County Emergency Management, reported that he was able to negotiate with the SUU Aviation program to fly their drones over the Iron County channels. SUU Aviation had signed the MOU and flights had begun. George noted that SUU Aviation would map all channels and notify Iron County of any problems.

Marilyn Wood made a motion to approve an Interlocal Agreement between Southern Utah University (SUU) and Iron County for the use of unmanned aerial vehicles (drones). Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2023-6, A RESOLUTION SETTING DEADLINES FOR FILING VALUATION APPEALS, ABATEMENTS, AND REDETERMINATIONS

Carrie Christiansen, Iron County Deputy Auditor, explained that statutes governed deadlines. She had conversations with the State Tax Commission and they recommended a resolution written for the deadline to be 5:00 p.m. for electronic and personal filings.

Michael Bleak made a motion to Resolution 2023-6, a resolution setting deadlines for filing valuation appeals, abatements, and redeterminations. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

IRON COUNTY RESOLUTION 2023-6

A RESOLUTION SETTING DEADLINES FOR FILING VALUATION APPEALS, ABATEMENTS AND REDETERMINATIONS

Whereas, each year, the Iron County Board of Equalization aids the public in hearing and reviewing valuation appeals, abatements and redeterminations of valuation appeals; and

Whereas, according to State statute, these appeals, abatements and redeterminations must be completed pursuant to specific deadlines; and

Whereas, in the interest of clarity, consistency, and public notice, Iron County Board of Equalization now seeks to establish guidelines setting the dates and times when valuation appeals, abatements and redeterminations may be received.

Now Therefore, be it resolved by the Board of Iron County Commissioners that the following deadlines will be used for valuation appeals, abatements, and redeterminations:

1. The deadline for property valuation appeals will be forty-five (45) days from the mailing of valuation notices, or September 15th, whichever is later and must be received or postmarked by 5:00 pm Mountain time.
2. The deadline for tax abatement applications will be September 1st and must be received or postmarked by 5:00 pm Mountain time.
3. The deadline for redetermination of valuation appeals is thirty (30) days from the date the decision letter is mailed and must be received or postmarked by 5:00 pm Mountain time.

RESOLVED, ADOPTED, AND ORDERED this 22nd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: 
Paul Cozzens - Chairman

ATTEST:


Jonathan T. Whittaker – Iron County Clerk



Michael P. Bleak Aye
Paul Cozzens Aye
Marilyn Wood Aye

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION (BOE)

Paul Cozzens, Iron County Commission Chair, declared the adjournment of the Iron County Commission and the convening of the Iron County Board of Equalization (BOE).

REQUESTING APPROVAL OF THE IRON COUNTY BOE HEARING OFFICER'S RECOMMENDATION FOR A ROLLBACK APPEAL FILED BY MR. RAMON PRESTWICH FOR PARCELS E-281, E-282-2, E-282-282-1 AND E-296-1

Carrie Christiansen, Iron County Deputy Auditor, explained that on May 4th there was a Board of Equalization (BOE) hearing regarding property owned by Ramon Prestwich. The hearing officer, Cody Hymas, made a recommendation to give Mr. Prestwich an additional 30 days (with a June 12th deadline) to have the parcels listed become Farmland Assessment Act (FAA) compliant. Carrie expressed that if approved, it would set a bad precedent with other appeals. She noted that this was an ongoing issue with Mr. Prestwich and he had already been given more than 30 days.

Karsten Reed, Iron County Assessor, gave a brief explanation of why Bradden Beaumont was promoted to Greenbelt Supervisor. Bradden has worked hard to make sure there was equity in Iron County, with many challenges for owners to come into compliance. Karsten explained that Agriculture was not the issue. Mr. Prestwich was not using the property as Greenbelt; therefore, he was not eligible for a rollback. The intention was to be able to work with as many as possible to keep their property.

Bradden Beaumont, Iron County Greenbelt Supervisor, reported that this property had not been used agriculturally for at least 10 years. When he began working for Iron County 4 May 22, 2023

years ago, the property was not in compliance and was being audited. Marilyn Wood stated that she never remembered seeing animals on the property. Bradden reported that Mr. Prestwich was in compliance with his other property. He had been out there three times since the May 4th hearing. Mr. Prestwich had to do a check and there were 15 cows in a 1-acre pen on the north end of the property. Marilyn Wood asked Bradden how many acres this was. Bradden replied that it was 333 acres. In order for him to be compliant, he must abide by the Compliance Agreement that was signed by all parties on May 4, 2023. The agreement stated that "a total of 52 cows to graze the property was to be enacted immediately and the minimum must be met." Bradden reported that he went out this morning and there were no cows on the land.

Commissioner Craig Buttars, Utah Department of Agriculture, reported that he was a dairy farmer and served 6 years on the Cache County Council, 6 years as a County Executive, and was a BOE hearing officer. He sat on the board and there were many Greenbelt rollback issues. He noted that it was important for counties to be up to date on their Greenbelt because agriculture was under constant scrutiny by the state to make sure the county was following the state code. Mr. Buttars explained that when a property was removed from Greenbelt it took 2 years to get back into it. It was important to enforce Greenbelt rules to maintain a precedent, and to be consistent across the board. It seemed, in this case, that there was a lack of concern by the landowner and not being willing to participate then the commissioners needed to apply the law.

Karsten Reed reported that he had had many meetings with Mr. Prestwich and he has had some struggles to put these parcels into production. According to the agreement, Mr. Prestwich only had a few more days to comply.

Bradden Beaumont stated that Mr. Prestwich was not in compliance with the agreement at this time. He needed to have the 52 cattle on the property for a consecutive 30 days, from May 4th to June 12th.

Marilyn Wood explained that Mr. Prestwich had many options as a farmer. He could lease the property and any producer would love to use the property. He could sell some of his other property and put that money back into improvements to other properties. He could allow someone else to use the land and he would be in compliance.

Michael Bleak noted that the additional 30 days were generous and he was two weeks into the agreement he still was not in compliance. Paul Cozzens reported that the commissioners had worked with Mr. Prestwich many times. Marilyn Wood noted that the Assessor's Office and BOE were willing to work with him and he still was not in compliance.

Marilyn Wood made a motion to deny the recommendation by the Iron County BOE Hearing Officer for a rollback appeal filed by Mr. Ramon Prestwich as presented by Carrie Christiansen. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Bradden Beaumont reported that the commissioners had the option to waive a 2-year waiting period if Mr. Prestwich paid the rollback and came into compliance.

RECONVENE AS THE IRON COUNTY COMMISSION

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

PERSONNEL

Jennifer Bradbury, Iron County Human Resource (HR) Director, presented the new hire of Spencer Nelson as a Full-Time Deputy 1 for the Sheriff's Department-Corrections, effective May 29th. This was a backfill of a vacant position. The promotion of Clayton Mitchell from Medical Deputy 2 to Medical Deputy 3 for the Sheriff's Department-Corrections, effective May 14th; the promotions of Jaren Ford and Eric Rohmann from Full-Time Deputy 2 to Full-Time Deputy 3 for the Sheriff's Department-Patrol, effective May 14th; the new hire of Dallas Smith as a Creative Design Specialist for Tourism, effective June 12th. 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 Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

Jennifer Bradbury presented updates to Iron County Police Section 41-C – Guidelines for Police Officer Standards Training (POST) to include pay for travel. Due to a change at POST, the deputies were exposed to more expenses. This policy was to allow travel pay when the dorms were not available.

Marilyn Wood made a motion to approve updates to Iron County Police Section 41-C – Guidelines for P.O.S.T. Training to include pay for travel. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

ADJOURNMENT

Paul Cozzens, Iron County Commission Chair, declared adjournment.



Signed: Paul Cozzens, Commission Chair



Attest: Jonathan T. Whittaker, County Clerk

