

IRON COUNTY COMMISSION MEETING
March 26, 2012

Minutes of the Iron County Commission meeting convened at 9:00 a.m. March 26, 2012 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
Daniel L. Webster	Commissioner
Michael Edwards	Deputy County Attorney
David I. Yardley	County Clerk

Also Present:

Chad Nay	Zoning Administrator/Building Inspector
Steve Platt	County Engineer
Neil Forsyth	Road Supervisor
Jaren Scott	Landfill Supervisor

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Chad Nay.

APPROVAL OF MINUTES March 12, 2012 :

Minutes of the Iron County Commission meeting held March 12, 2012 were approved as amended on a motion by Dan Webster. Second was by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

REPORTS :

Chad Nay reported that building permit numbers level for the past three years. There are some indications that construction is starting to pick up again. Chad reported on steps taken to

make sure constructions sites are maintained and that trash is put into appropriate containers. Also that sanitation facilities are available on site. The action takes should alleviate concerns with construction site maintenance with neighbors.

Steve Platt reported on progress in addressing concerns with Shoal Creek and Holt's Canyon flooding issues in the Escalante Valley. An agreement has been reached with Washington County and with some of the affected property owners. Steve also reported on progress with the RS 2477 road litigation. The State is proceeding with a notice of intent to sue however negotiations continue in Iron County to resolve the issues surrounding designating County rights of way. Steve discussed additional projects and work schedule for the coming summer season.

Neil Forsyth reported on Road Department activities. He expressed concern with fuel prices as they are near \$4.00 per gallon now with an expected rise this summer to near \$5.00. Prices are also rising for tires and other consumable supplies.

Neil reported that work is progressing on 2200 North in Parowan valley between the Day Lane and 2200 West which is scheduled to be oiled this summer. There is a concern with road width and damage done to existing fences however repairs should be made before the road is ready to oil.

Jaren Scott reported on Landfill and Solid waste collection citing the same concerns with fuel and tire prices. Jaren reported on equipment purchases budgeted this year. A loader is scheduled to be delivered in early May and a pickup should be delivered within two weeks. Jaren also reported that a radio system is being installed at the Landfill to allow employees operating in the pits to have radio access to other employees. Currently there is not a system that allows for communication from the pit areas.

ROAD DEPARTMENT BID OPENINGS :

Bids were opened for the purchase of a 2012 model Road Grader. Two bids were submitted and opened with results as follows:

Honnen Equipment for a John Deere	\$240,901 less \$26,000 Trade	\$214,901
Century Equipment for a Caterpillar	\$241,790 less \$30,000 Trade	\$211,790

Dan Webster made a motion to review the bids to make sure they meet the specifications and to award the bid to the low bidder. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Bids were also opened for chip seal oil for 2012 Season. Two bids were received for multiple oil types. Bids were submitted from Paramount Petroleum Company and Mountain States Asphalt Company. The bids were referred to Neil Forsyth and Alma Adams for review and approval of the low bid for each type oil specified on a motion by Alma Adams. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

RESOLUTION 2012-2 DESIGNATING 5700 WEST AS THE BELT ROUTE :

The Commission reviewed the following resolution and explained the need to specify a route from SR 56 to the Iron Springs Road to provide guidance in development of the area.

Steve Platt, County Engineer discussed whether the designation should include a belt route past Iron Springs Road, alternative routes and future development of a northern belt route to connect to I-15 at Cedar North interchange, a future interchange at Enoch, or connect to the Summit exit. After reviewing options, the Commission determined that it would be in the best interest to designate only the route from SR 56 to Iron Springs at the present time.

Resolution 2012-2 was presented and approved on a motion by Dan Webster. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

**IRON COUNTY
RESOLUTION NO. 2012-2**

**A RESOLUTION DESIGNATING 5700 WEST, CEDAR CITY, UTAH AS THE
BELT ROUTE FROM SR 56 TO IRON SPRINGS ROAD, IRON COUNTY, UTAH**

WHEREAS, the Iron County Commission recognizes that long term planning is necessary for the continued development of the Cedar Valley belt route connecting I-15 Kanarrville exit to the Iron Springs Road; and

WHEREAS, the Iron County Commission is aware that citizens are desirous to develop their private property between SR 56 and Iron Springs Road ; and

WHEREAS, the Iron County Commission is aware that without a designated route between SR 56 and Iron Springs Road that final property lines, road access and utility easements cannot be designed and developed; and

WHEREAS, it is in the best interest of Iron County to designate a route to provide for the safe and efficient flow of traffic between SR 56 and Iron Springs Road and to provide property owners with direction on road right of way requirement and setbacks;

NOW THEREFORE, BE IT RESOLVED, by the Iron County Commission that 5700 West, Cedar City is the designated belt route between SR 56 and Iron Springs Road.

APPROVED AND ADOPTED this 26th day of March 2012.

IRON COUNTY COMMISSION

Dale M. Brinkerhoff
Commission Chair, Iron County

ATTEST: _____

David I. Yardley, Iron County Clerk

APPROVED AS TO FORM:

Michael Edwards, Deputy Iron County Attorney

BOARD OF EQUALIZATION :

Dan Webster made a motion to convene as a Board of Equalization to review and approve or deny any annual statements for continued property tax exemptions which were given an extension to file an exemption statement until 5:00 P.M., March 21, 2012 which were not submitted by the March 1, 2012 filing deadline. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Christene Lowder reported that all delinquent applicants have responded except the Cedar City Congregation of the Jehovah's Witnesses. The application of Advanced Athletics was questioned as to the level of charitable use. It was also noted that the land and building are owned by different entities.

After reviewing the applications and information provided, Alma Adams made a motion to approve the application of Advanced Athletics, Diamond Z English Shire Foundation and the First Baptist Church. The motion also included a denial of the Cedar city Congregation of the Jehovah's Witnesses for the 2012 year. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

The Board of Equalization was adjourned and the Commission meeting reconvened on a motion by Alma Adams. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

COOPERATIVE LAW ENFORCEMENT AGREEMENT US FOREST SVC:

A proposed amendment to an agreement between Iron County and Dixie National Forest for law enforcement on the Dixie National Forest within Iron County identified as agreement number 11-LE-11040700-022 modification number 4 which will add additional funding to Iron County was presented for approval. Dan Webster made a motion to approve the agreement as presented. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

RAP TRAINING :

Vicki Nielsen presented RAP training pointing out that safety is an every day responsibility. Staff learned the importance of working safely everyday. A worker is injured, suffers a disabling injury or is killed in the workplace every few seconds 365 days a year in the United States. "Will today be the day?" Every day is a beautiful day; it holds promise, opportunity for greatness and success. However, each day in the workplace also holds countless

opportunities to suffer skin ripping, bone crushing, back cracking, and life altering injury. “Will today be the day?”

Don’t let today be the day. Always follow safe work practices, and remember that nothing you do is worth getting hurt. With your attention, care and respect for safety, neither this nor any other day will be the day for you.

The second week training pointed out housekeeping issues in safety. Most accidents result from multiple causes, and one cause involved in many instances of mishap and injury is that the area was messy, slippery, or piled with materials, which prevented normal operations. Cleanliness- good housekeeping- is one of the basic elements of accident prevention.

Good housekeeping doesn’t just make a workplace look nice. It helps prevent accidents. Facilities with poor housekeeping often have the worst OSHA compliance records. Good housekeeping eliminates many accidents, falls, fires, and injuries caused by materials and waste left out or not stored properly. A neat work area is more efficient, easier to move around, and just more productive. Workers need to maintain order in their own work areas; this includes cleaning work surfaces and putting tools and other materials away in their proper storage places.

PERSONNEL MATTERS :

Vicki presented a request from the Road Department for approval of a Master Mechanic Job Description. Alma Adams made a motion to approve the job description for a Road Department Master Mechanic. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Vicki also presented a request to replace an open maintenance position in the Road Department with Walker Corry. Dale Brinkerhoff asked if current employees were given any preference when applying for a job opening in a different department. Vicki answered that no preference is given to current employees. Alma Adams made a motion to approve the hiring of Walker Corry as requested. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Vicki also presented a request from Sheriff’s Department to approve a position justification to replace open Bailiff position. She noted that Dennis Anderson, a current Bailiff is retiring. Dan Webster made a motion to approve the position justification as presented. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Vicki presented for approval Kellen Hudson to Replace open Bailiff position. This is a part time position which will fill the vacancy left by Dennis Anderson’s retirement. Dan Webster made a motion to approve Kellen Hudson as a part time Bailiff. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

CLOSED SESSION :

Alma Adams made a motion to convene in closed session for the purpose of discussing the character, professional competence, or physical or mental health of an individual. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

for adoption of a resolution of the Municipal Building Authority of Iron County, Utah (The “Authority”) establishing the officers of the authority; authorizing the issuance and sale of not more than \$3,500,000 aggregate principal amount of lease revenue bonds; delegating to certain officers of the authority the power to approve the final terms and provisions of the series 2012 bonds within the parameters set forth herein; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the publication of a notice of public hearing and bonds to be issued; providing for the running of a contest period; authorizing the execution by the authority of a master resolution, an annually renewable master lease agreement, and other documents necessary for the issuance of the bonds; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and related matters.

After reviewing Municipal Building Authority of Iron County, Utah Resolution MBA 2012-1, Dan Webster made a motion to adopt the resolution as presented. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

ADJOURN AS MUNICIPAL BUILDING AUTHORITY :

After all business concerning the Municipal Building Authority of Iron County, Utah Dan Webster made a motion to adjourn and reconvene as the Iron County Commission. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

PRAIRIE DOG MATTERS :

The Commission reported that a meeting with the Department of Interior, Utah DWR, Paragonah Mayor, Parowan City Mayor, Enoch City Manager, Cedar City Mayor, Garfield County Commission and Wayne County Commission being sponsored by Senator Hatch’s office will be held tomorrow. The purpose of the meeting is to identify problems with managing the Utah prairie dog population in southern Utah, especially in sensitive areas such as cemeteries, airports and other public gathering places. A proposal will be presented to allow Utah DWR to take over management of the prairie dog recovery effort.

BUILDING USE DISCUSSION :

The Commission discussed a proposed use rental rate for County facilities. The rate will be established for use by groups such as the Quilter’s Guild use of the Cedar City Senior Center. The matter will be discussed with Connie Lloyd and other building supervisors to establish a rate.

ADJOURN _____ :

The meeting was adjourned at 2:00 p.m. on a motion by Alma Adams. Second was by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Signed: Dale M. Brinkerhoff, Chairman

Attest: David I. Yardley
County Clerk