

IRON COUNTY COMMISSION MEETING
November 13, 2012

Minutes of the Iron County Commission meeting convened at 9:00 a.m. November 13, 2012 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

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

Also Present:

Brad Spencer	Jail Lieutenant
Margaret Miller	Justice Court Judge

<u>SYNOPSIS</u>	:	
ADJOURN		7
AMBULANCE DEPARTMENT REORGANIZATION		7
APPROVAL OF MINUTES November 5, 2012		2
APPROVAL OF MINUTES October 15, 2012		1
APPROVAL OF MINUTES October 22, 2012		1
APPROVAL OF MINUTES October 29, 2012		1
PERSONNEL MATTERS		6
PLEDGE OF ALLEGIANCE		1
PROPOSAL FOR 2013 IRON COUNTY EMPLOYEE HEALTH BENEFITS		6
PUBLIC HEARING VACATE AND AMEND MEADOW LAKE ESTATES SUB		2
RAP TRAINING		6
REORGANIZATION OF COMMISSION ASSIGNMENTS		6
REPORTS		2
RESOLUTION 2012-10 UCIP IRON COUNTY REPRESENTATIVE		3
RESOLUTION 2012-11 INTERLOCAL TAX INCREMENT AGREEMENT		4
SOUTHERN UTAH MORTUARY CONCERNING INDIGENT CASES		3

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES October 15, 2012

Minutes of the special Iron County Commission meeting held October 15, 2012 were approved as amended on a motion by Alma Adams. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Absent.

APPROVAL OF MINUTES October 22, 2012

Minutes of the Iron County Commission meeting held October 22, 2012 were approved as amended on a motion by Alma Adams. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Absent.

APPROVAL OF MINUTES October 29, 2012

Minutes of the special Iron County Commission meeting held October 29, 2012 were

approved as amended on a motion by Alma Adams. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Absent.

APPROVAL OF MINUTES November 5, 2012 :

Minutes of the special Iron County Commission meeting held November 5, 2012 were approved as amended on a motion by Alma Adams. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Absent.

REPORTS :

Brad Spencer presented a report from Corrections. He reported that two part time positions in culinary were being eliminated as a cost saving move. They will be replaced with existing personnel from the line officers which will improve overall security in the culinary area. He also reported that the security system cameras were being installed as an upgrade and should be completed shortly after the first of next year. Brad reported on workload with 685 bookings during the past quarter, a decrease of 103 booking over the previous period.

Margaret Miller, Justice Court Judge, presented reports of Justice Court compared to the same period in 2011. Traffic cases filed are down from 2011 levels while misdemeanor and infractions are slightly up. She also reported that the Justice Court will be going to a paperless system in 2013. The District Court will transition in April to a paperless system. Margaret also reported that all full time clerks have completed the necessary training for 2012. She will be checking with the Court Administrator's office to get more information on required part time personnel training requirements.

PUBLIC HEARING VACATE AND AMEND MEADOW LAKE ESTATES SUB:

Alma Adams made a motion to open a public hearing to receive comments on a petition to vacate and amend the subdivision plat of Meadow Lake Estates Subdivision. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

Brent Carter representing property owners Austz MIT Irrevocable Trust, Andrew and Patricia Leavitt, Trustees, explained the purpose of the proposal is to allow for four larger lots which can help with siting of a cabin on each of the four parcels. There is not a proposal to change zoning or construction standards on the lots. It will also allow for developing one lot on the lake edge to avoid flooding or other high water concerns.

Lots to be combined include Lots 1 and 2, Block AF to be Lot 1, Block AF; Lots 1, 2, 3, and 4 Block J to be Lot 1, Block J; Lots 10 and 11 Block G to be Lot 10, Block G; and Lots 1 and 3, Block H to be Lot 1, Block G.

No other public comments were received whereupon David Miller made a motion to close the public hearing. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

David Miller then made a motion to approve the petition to vacate and amend the plat of Meadow Lake Estates Subdivision as presented and to authorize appropriate signatures on the plat. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller,

Aye.

SOUTHERN UTAH MORTUARY CONCERNING INDIGENT CASES :

Richard Boyer and Jim Graff, Southern Utah Mortuary, discussed concerns with the procedure the County uses in paying for indigent deaths that occur in the County. They also requested an adjustment in the reimbursement amount from \$500.00 to \$1,500.00 to cover the cost of cremation.

The Commission took no action but asked that the matter be placed on the next agenda with a request to have the County Attorney, Sheriff, and local mortuary representatives present to discuss the problem.

RESOLUTION 2012-10 UCIP IRON COUNTY REPRESENTATIVE :

David Yardley introduced Resolution 2012-10 designating a voting representative and alternate to attend the annual membership meeting of UCIP to be held at Thanksgiving Point on December 6. David Miller made a motion to adopt Resolution 2012-10 as presented. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

RESOLUTION NO. 2012-10

RESOLUTION OF APPOINTMENT OF A IRON COUNTY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL ANNUAL MEMBERSHIP MEETING

WHEREAS, the Board of County Commissioners of Iron County, Utah, is the proper authority to appoint a qualified person to act as the official representative for Iron County at the Utah Counties Indemnity Pool Membership Meeting to be held on December 6, 2012; and

WHEREAS, the Governing Body of Iron County, Utah, has been informed that the By-laws of the Utah Counties Indemnity Pool require that the official representative and an alternate representative for Iron County must be an elected or appointed officer or employee of a Member and must be appointed by majority vote of the Governing Body of the Member to be the Member's official representative for the purposes of the Pool

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Iron County, Utah, hereby appoints David Yardley as the official Iron County representative for the Utah Counties Indemnity Pool Membership Meeting to be held on, December 6, 2012 with Alma L. Adams as an alternate representative.

RESOLVED ADOPTED AND ORDERED this 13th day of November, 2011.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

Dale M. Brinkerhoff, Chair

Alma L. Adams, Commissioner

David J. Miller, Commissioner

ATTEST:

David I. Yardley, Iron County Clerk

By: _____

APPROVED AS TO FORM:

Michael G. Edwards, Deputy Iron County Attorney

By: _____

RESOLUTION 2012-11 INTERLOCAL TAX INCREMENT AGREEMENT :

Brennan Wood presented a request to the Commission to adopt Resolution 2012-11 which will provide tax increment financing through a community development project area to provide Building Corporation of America a relocation incentive, said incentive is more particularly defined in the interlocal tax increment authorization. The agreement is contingent upon adoption of the Community Development Project Area Plan.

After reviewing the project Alma Adams made a motion to adopt Resolution 2012-11 as presented. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

BOARD OF IRON COUNTY COMMISSIONERS

RESOLUTION 2012-11

**A RESOLUTION OF THE BOARD OF IRON COUNTY COMMISSIONERS:
ADOPTING THE INTERLOCAL TAX INCREMENT AUTHORIZATION
AGREEMENT BETWEEN CEDAR CITY, IRON COUNTY, THE IRON
COUNTY SCHOOL DISTRICT, THE CENTRAL IRON COUNTY WATER**

CONSERVANCY DISTRICT, AND THE CEDAR CITY REDEVELOPMENT AGENCY; AUTHORIZING THE SIGNING OF SAID AGREEMENT; AND CONDITIONING ACCEPTANCE OF THE AGREEMENT UPON THE ADOPTION OF A FINAL COMMUNITY DEVELOPMENT PROJECT AREA PLAN FOR THE WEST HIGHWAY 56 PROJECT AREA.

WHEREAS, the Cedar City Redevelopment Agency is an existing redevelopment agency created under the laws of the State of Utah and exercising authority granted under Title 17C, the Limited Purpose Local Government Entities Community Development and Renewal Agencies Act; and

WHEREAS, the various taxing entities desire to provide tax increment financing through a community development project area to provide Building Corporation of America a relocation incentive, said incentive is more particularly defined in the interlocal tax increment authorization agreement which is attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, pursuant to the provisions of UCA 17C-1-101 through 17C-1-701 and UCA 11-13-215 the various taxing entities may enter into an interlocal agreement providing for the use of tax increment money to provide the desired relocation incentive; and

WHEREAS, the various parties to the interlocal tax increment authorization agreement have been provided a copy of the agreement and had an opportunity to have the form and substance of said agreement reviewed and approved by their respective legal counsel; and

WHEREAS, the parties to the interlocal tax increment authorization agreement desire to enter into the agreement. It is not the intent of the parties to create a separate legal entity by entering into this interlocal agreement.

NOW THEREFORE, be it resolved by the Board of Iron County Commissioners that it hereby authorizes the adoption of the attached and incorporated interlocal tax increment authorization agreement, and the appropriate administrative officers are directed to sign the agreement.

NOW THEREFORE, be it further resolved by the Board of Iron County Commissioners that notice of the interlocal tax increment authorization agreement shall be published in Daily News and on the State of Utah public notice website; and that pursuant to the provisions of UCA 17C-4-202.

NOW THEREFORE, be it further resolved by the Board of Iron County Commissioners that once the applicable thirty (30) day protest period has expired the interlocal tax increment authorization agreement shall be filed with the State Tax Commission, the State Board of Education, the State Auditor, and the Iron County Auditor.

Dated this 13th day of November, 2012.

BOARD OF IRON COUNTY COMMISSIONERS

DALE M. BRINKERHOFF
CHAIRMAN

ATTEST: _____

DAVID I. YARDLEY
IRON COUNTY CLERK

RAP TRAINING :

Leslie Bishop presented RAP training on Sexual Harassment. Sexual harassment is unwanted sexual attention that harms the victim and often the general morale of the county. Sexual harassment is usually intended to make a person feel uncomfortable or to embarrass that person. Unfortunately, sexual harassment is a common occurrence, and claims are on the rise. The cost of sexual harassment cuts across all aspects of the organization, from employee retention to expensive litigation.

The consequences of sexual harassment in the workplace are costly and damaging to staff. Generally, judgments are paid by county, not insurance. The County may have to lay off employees, cut back on work hours, reduce operating budgets, or turn to the public to pay for judgments. It creates bad publicity. And it affects employee morale and productivity.

PROPOSAL FOR 2013 IRON COUNTY EMPLOYEE HEALTH BENEFITS :

Doug Peterson, ABSI & Certified Insurance, and the Iron County Employee Health Insurance Committee for 2012, which included a 4.5% increase in premium due to increased health costs. The increase is about \$78,226 annually. To get this rate the County will increase the deductible to \$1,500 for an individual and \$3,000 for a family with a stop loss at \$6,000.

Alma Adams made a motion to approve the proposed rate and plan approval with a premium increase of \$78,226.00. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

PERSONNEL MATTERS :

Leslie presented a request from the Assessor's office to hire Karen Butler, as a Part Time Deputy Assessor/Motor Vehicle Clerk in the Cedar City Office. The hire fills a vacant position left by Stephanie Orton who has transferred to the Iron County Ambulance as secretary. Alma Adams made a motion to approve the hiring of Karen Butler as a part time Deputy Assessor/Motor Vehicle Clerk in the Cedar City office. Second by David Miller. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Aye.

REORGANIZATION OF COMMISSION ASSIGNMENTS :

The Commission reviewed their Commission assignment chart and approved changes which reflect shifts due to the death of Commissioner Webster and the appointment of Commissioner Miller. Alma Adams made a motion to approve the assignments with the change of the Ambulance to the supervision of the Sheriff. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Absent due to a phone call.

AMBULANCE DEPARTMENT REORGANIZATION :

The Commission explained a Department change in which the Ambulance Department will be transferred to the Sheriff Department with supervision on an interim basis being assigned to Detective Jody Edwards. The change will eliminate the position of Ambulance Supervisor. Alma Adams made a motion to approve the Ambulance Department reorganization as presented. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Absent due to a phone call.

ADJOURN :

The meeting was adjourned at 11:45 a.m. on a motion by Alma Adams. Second by Dale Brinkerhoff. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; David Miller, Absent due to a phone call.

Signed: Dale M. Brinkerhoff, Chairman

Attest: David I. Yardley
County Clerk