

**IRON COUNTY COMMISSION MEETING
May 13, 2013**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. May 13, 2013 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

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

Also Present:

Stephanie Furnival	Children’s Justice Center Director
Margaret Miller	Justice Court Judge
Scott F. Garrett	County Attorney
Brett Allred	Jail Commander

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by David Yardley.

APPROVAL OF MINUTES April 22, 2013 :

Minutes of the Iron County Commission meeting held April 22, 2013 were approved on a motion by Dale Brinkerhoff. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

REPORTS :

_____ **Stephanie Furnival**, Children Justice Center, discussed funding for the center. The

support group is sponsoring a one half marathon this weekend to help fund the center and to provide materials not covered under grant funds. She also discussed case load and services provided. The center will be providing more services in the form of anger management classes; substance abuse; and parenting skills classes.

Margaret Miller, Justice Court Judge, reported on budget for the current year to date. Every thing is in line with projections. She reported that as of July 1, 2013 a new rule will take effect in which the Court will not be allowed to enter data on citations. All cases will be required to submit citations through e filing system.

Judge Miller requested that Deputy Sheriff's be given access through their key cards to Justice Court doors to allow them to respond to emergency situations. David Yardley was asked to make the change on access.

Scott Garrett, County Attorney, reported on major cases occurring in Iron County this year so far. Included are a double homicide; an attempted murder; and a bank robbery. There is however not a large increase in the number of felony cases filed for the year. Scott also reported that indigent defense is being studied in Utah. Utah County and either Cache or Tooele county will be the study areas. In Iron County so far this year there have been eight jury trials of which six were represented by public defenders.

Brett Allred, Corrections Lieutenant, reported that the new security camera system in the Jail is nearly completely installed. A new 15 passenger transport van has also been acquired and fitted and is now in use. Staffing levels and inmate population was also discussed.

David Miller reported that Southern Utah University personnel have approached him with the possibility of having interns work for the County during the summer. Individual departments will be contacted to see if using interns will work.

Alma Adams reported that the Bookmobile will be reducing stops in Cedar City and concentrating more on the unincorporated areas of the County along with Enoch as the primary financial support of the Bookmobile.

Alma also reported that the State DFCM, Cheryl Searle, has recently contacted him about the possibility of moving forward with the construction of an office complex for APP, Highway Patrol, Public Safety and Dispatch. No firm plans have been submitted to date.

PUBLIC HEARING ORDINANCE AMENDMENT _____ :

Dale Brinkerhoff made a motion to open a public hearing to receive comments regarding a proposed amendment to the County Land Management Code, Chapter 17 to provide additional options for non conforming lots in the A-20 zone. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Reed Erickson explained the purpose of the proposed amendment which would allow listed uses within the A-20 on parcels larger than ten acres and to allow a home on the smaller parcels.

James Bayer commented that some uses in the A-20 do not fit on smaller parcels. He pointed out that a hog farm or a kennel with barking dogs all day and night were not a good fit.

He requested that kennels not be allowed and that numbers of farm animals be limited on the smaller parcels.

Martha Bayer also commented on the size of lots with a change of use. She suggested that a minimum of 15 acres should be considered as presented in the ordinance.

Doyle Hyde commented that he has a 10.1 acre parcels he is considering constructing a crop drying facility and therefore he is in favor of the change which will allow for the construction of agricultural buildings. He was also in favor of limiting kennels and hog operations on small parcels.

Justin Wayment commented that under the current County code that property owners are restricted in the use of the majority of their property on smaller than 20 acre parcels. He also stated that illegal or restricted uses would not change.

After all public comments were received, Dale Brinkerhoff made a motion to close the public hearing. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ORDINANCE 2013-2 AMENDMENT TO LAND MANAGEMENT CODE :

Dale Brinkerhoff made a motion to adopt Ordinance 2013-2 allowing for the redefinition of uses allowed in the A-20 zone for non conforming lots larger than 10 acres. Also disallowing kennels to be located on a lot smaller than 20 acres within the A-20 zone. Second by David Miller.

ORDINANCE NO. 2013 -2

AN ORDINANCE OF IRON COUNTY, UTAH, ADOPTING AND MODIFYING CERTAIN CHAPTERS AND SECTIONS OF TITLE 17, ZONING; DEFINING TERMS; ESTABLISHING USES FOR LOTS IN THE A-20 ZONE WITH INSUFFICIENT SIZE; MODIFYING FRONT SETBACK IN COMMERCIAL ZONE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Iron County has the desire to adopt an ordinance to establish the permitted and conditional uses of real property located in an A-20 zone wherein the real property lacks the minimum area requirements and which lots are legal lots of record; and

WHEREAS, the County Commission finds that the modification to the following Ordinances serves and advances the following public purposes:

- (1) Preserve and enhance the existing natural features of Iron County that attract people to this community without adversely affecting the surrounding area.
- (2) Establish consistency with the goals and policies of the general plan.
- (3) Define reasonable measures for use of real property in a rural setting.
- (4) Enhance the economy while preserving open areas.
- (5) Increase property values and encourage and promote commercial growth by improving the aesthetic qualities of the local environment by incorporating uses currently anticipated in an A-20 Zone; and

WHEREAS, the proposed ordinance is designed to implement the objectives of the County to promote options for property while reasonably regulating the same to serve the purposes of the Iron County Zoning Ordinance; and

WHEREAS, the County Commission finds that it is in the best interest of the County after taking into consideration the citizen's health, safety and welfare, to amend the following ordinances; and

WHEREAS, the Planning Commission of Iron County has held a duly advertised and noticed public hearing on the proposed amendments to the Zoning Ordinance of Iron County, Utah and has carefully and thoroughly reviewed and considered the comments received, and has voted to forward the proposed ordinance to the Iron County Commission with a recommendation for approval; and,

WHEREAS, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed ordinance and after considering the public comments and the language of the proposed ordinance, the County Commission concludes that the proposed ordinance appropriately considers and balances all interests in accordance with the purposes and goals of the County Land Use, Development, and Management Act; the Iron County General Plan; and, the Iron County Zoning Ordinance.

NOW THEREFORE, THE LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

SECTION 1. Section 17.16.020 (A) of the Iron County Code is hereby amended to read as follows:

The agriculture (A-20) district is provided and designed to protect and preserve lands suited for farming, ranching, the production of food and fiber, open recreational parks, services or related purposes and services providing rural lodges and rural estate living, and to encourage open areas for the protection from encroachment of incompatible uses. Other purposes of this district include protection of the economic base of the county and the protection of environmentally sensitive lands, such as areas subject to flooding, wetlands, unstable soils and areas with steep slopes. The permitted and conditional uses identified in the "Table of Uses" (Section 17.16.030) for the A-20 zone are intended to be compatible with agricultural uses while encouraging economic growth and reasonable options for the use of private property. The district discourages intense uses due to lack of required services and the potential cost to Iron County residents of providing the services necessary to support higher density or more intense development and activities.

SECTION 2. Section 17.36.020 (A)(3) and (B) of the Iron County Code is hereby amended to read as follows:

§17-36-020 (A)(3), Subject to the provisions of Title §17, all uses, buildings and structures located in the county must comply with the intensity, bulk requirements, site coverage standards and other requirements for uses identified in table of site development standards.

§17-36-020 (B), Nothing in this title or the land management code requiring minimum lot

area or lot width shall be construed to prevent the use for one single-family dwelling of any lot or parcel of land, provided that such lot or parcel of land is located in a zoning district which permits single-family dwellings and was a legally divided lot and existed at the time such lot area and lot width requirements became effective, either by adoption of the ordinance codified in this title, the land management code or prior enactments, and provided further that all proposed construction can qualify for the issuance of a building permit as required by other provisions of the land management code and the county's building codes.

Additionally, for properties in the A-20 zone with less than twenty (20) acres, but at least ten (10) or more acres, other uses identified in the table of uses (Section 17.16.030) specific to the A-20 zone, identified as permitted or conditional uses, except for kennels, may be authorized as described in the Table of Site Development Standards (Section 17.16.040 (3)).

SECTION 3. Section 17.84.010 (definition of “Lot”) of the Iron County Code is hereby amended to read as follows:

§17-84-010 "Lot" means a parcel of land occupied or to be occupied by a building or group of buildings, together with such yards, open spaces, lot width as are required by this title, and which has the minimum lot area, except as otherwise provided under §17-16-040, having frontage upon a street or upon a right-of-way not less than sixteen feet wide. Except for group dwellings and guest houses and dwellings associated with agricultural uses and lands, not more than one dwelling structure shall occupy any one lot.

SECTION 4. Section 17.16.040 (Table of Site Development Standards) of the Iron County Code is hereby amended to read as follows:

§17-16-040 The table of site development standards accompanies the table of uses set forth in §17-16-030. With the exception of the minimum lot size in an A-20 zone and in accordance with the conditions §17-16-040(3), this table identifies the lot requirements, required setback and yard standards, building height standards, site coverage standards and other requirements for the uses allowed within each zoning district. The values identified in the following table are the minimum standards that apply in the zones indicated. However, more restrictive or additional development standards may also apply, as set forth in other applicable sections of the Iron County Code. A thorough review of the Iron County zoning ordinance is required to ensure that all applicable development standards are identified.

TABLE OF SITE DEVELOPMENT STANDARDS

	ZONING DISTRICTS								
	A-20	R-5	R-2	R-1	R-1/2 ⁽²⁾	C	LI	I	I-A
Minimum lot width	300 ft.	300 ft.	165 ft.	165 ft.	120 ft.	90 ft.	100 ft.	150 ft.	1,320 ft.
Minimum front yard setback	60 ft.	60 ft.	60 ft.	30 ft.	30 ft.	25 ft.	25 ft.	25 ft.	200 ft. ⁽¹⁾
Minimum rear yard setback	60 ft.	60 ft.	60 ft.	40 ft.	30 ft.	25 ft.	30 ft.	50 ft.	200 ft. ⁽¹⁾
Minimum side yard setback	30 ft.	30 ft.	30 ft.	30 ft.	10 ft.	10 ft.	25 ft.	40 ft.	200 ft. ⁽¹⁾
Minimum side yard setback	30 ft.	30 ft.	30 ft.	30 ft.	30 ft.	NR	NR	NR	200 ft. ⁽¹⁾

(corner lot)									
Minimum distance between buildings	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	NR	NR	NR	15 ft.
Maximum/minimum building height	NR	30 ft. or two (2) stories/ one (1) story	30 ft. or two (2) stories/ one (1) story	30 ft. or two (2) stories/ one (1) story	30 ft. or two (2) stories/ one (1) story	Three (3) stories/ one (1) story	Three (3) stories/ one (1) story	Three (3) stories/ one (1) story	NR
Minimum lot size (acres)	20 * (See note 3 below)	5	2	1	½	NR	NR	NR	80
Maximum total lot coverage (all buildings)	NR	5% (max. site coverage may be >5% for green-houses)	10%	15%	30%	50%	50%	50%	NR
Accessory outside storage areas						When located adjacent to any agricultural or residential district must be screened by a solid, non-landscape, fence or wall at least six (6) feet in height.			
Outside and security lighting						Must reflect away from adjacent agricultural and residential district.			

(1) All uses and buildings located within the I-A zoning district, except for dwellings and accessory uses for dwellings, shall meet the minimum setbacks required for the I-A zoning district. Accessory uses and buildings in the I-A zoning district shall meet the minimum setbacks of the A-20 zoning district.

(2) The R-1/2 zone, where a "Performance Subdivision Option" is approved, shall incorporate minimum and/or maximum values for setbacks, lot sizes and widths, building separation and heights, and maximum building coverage as prescribed in Section 16.23.040 (Development standards).

(3) If a lot or parcel of property is located within an A-20 zone and is less than 20 acres but at least ten (10) or more acres, and provided that the lot was legally created or existed prior to August 14, 2000, the lot or parcel shall be considered suitable for uses identified as permitted or

conditional as set forth in the A-20 zone; provided that all listed uses (permitted and/or conditional) in the A-20 zone shall be considered conditional uses for lots or parcels in the A-20 zone and smaller than 20 acres, but at least ten (10) or more acres, subject to the following provisions:

- a. The requested use is allowed in the A-20 zone as a permitted or conditional use;
- b. The requested use complies with the requirements for the A-20 Zone with respect to yard requirements, setback requirements, height, buffer and landscape standards, and all other requirements applicable to the district are sufficient to permit the requested use, other than the minimum area requirement; and
- c. The requested use will not substantially impair or adversely impact the neighboring property owners, but if so asserted, or the planning commission believes that the requested use will negatively impact or impair a neighboring property owner, then the planning commission may impose such requirements and conditions with respect to location, construction, maintenance, operation, site planning, traffic control and time limits, and other items for the conditional use permit as deemed necessary for the protection of adjacent properties and the public interest.

If the proposed use requested does not comply with the requirements of this title, or cannot be reasonably mitigated by the property owner, the planning commission shall deny the application.

Upon finding that the proposed use, building or structure complies with the standards and requirements of this title, the requirements of the land management code, can be adequately serviced by the existing or proposed infrastructure, and the negative impacts can be reasonably mitigated, the planning commission shall authorize the conditional use permit.

SECTION 5. General Provision.

Sections of the Iron County Code identified in this ordinance, shall be, and hereby are, amended with the express intent of allowing legal lots of record in the A-20 zoning district that are less than 20 acres, but at least ten (10) or more acres, to be considered for uses identified in the Table of Uses (Section §17.16.030) as permitted uses or conditional uses, all to be considered and processed as conditional uses (See Chapter §17.28) in accordance with Utah State code and Iron County code.

SECTION 6. Severability.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

SECTION 7. Effective Date.

This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code §17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 13th day of May, 2013.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: _____
Alma L. Adams, Chair

ATTEST:

David I. Yardley,
County Clerk

VOTING:

Alma L. Adams Aye
Dale M. Brinkerhoff Aye
David J. Miller Aye

PUBLIC HEARING BOND PROPOSAL :

Dale Brinkerhoff made a motion to open a public hearing to receive input for the public with respect to a) the issuance of the series 2013 bonds and b) any potential economic impact that the improvements financed with the proceeds of the series 2013 bonds may have on the private sector. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Reed Erickson introduced the purpose of the bond which is to help in financing improvements to the Beverly Taylor Sorenson Center for the Arts located at Southern Utah University (the "Project"). The Issuer shall pledge all or any portion of the excise tax funds received by the Issuer pursuant to Title 59, Chapter 12, Parts 2, 3, 6, 11 and 12, respectively, Utah Code Annotated 1953, as amended, for repayment of the Series 2013 Bonds.

Dorian Page commented on the positive influence the Shakespear Festival has on the tourism industry and Southern Utah University. He stated this is an excellent project and will be very beneficial to the future growth of the Festival.

Scott Phillips commented that fund raising is nearing completion and it is anticipated to break ground on the project in early 2014.

After receiving all public comments, Dale Brinkerhoff made a motion to close the public hearing. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PUBLIC HEARING APPLICATION TO PCIB FOR GRANT/LOAN :

David Miller made a motion to open a public hearing to receive comments pertaining an application to the Permanent Community Impact Fund Board (PCIB) for a bond/loan of two million five hundred thousand dollars(\$2,500,000) to fund the county contribution from Transient Room Tax (TRT) and Tourism, Recreation, Culture and Convention Facilities Tax (TRCC) toward the development of the Utah Shakespeare Theater. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Reed Erickson commented that a loan or grant application was being prepared to submit

to the PCIB for \$2,500,000 to fund the County commitment to the Beverly Taylor Sorenson Center for the Arts located at Southern Utah University as explained in the previous public hearing. Funding would be from the Transient Room Tax (TRT) and Tourism, Recreation, Culture and Convention Facilities Tax (TRCC) with no commitment to fund shortfalls in revenue from the County general fund.

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

David Miller then made a motion to approve the County submitting an application for funding as explained to the Permanent Community Impact Fund Board. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

BOARD OF EQUALIZATION :

Dale Brinkerhoff made a motion to convene as a Board of Equalization to review green belt issues. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Porter and Porter, LTD:

Terry Porter representing Porter & Porter LTD. requested green belt status on lots in Cedar Highlands Subdivision identified as Tax Serial Numbers's D-1024-2-12-5, D-1024-2-12-6, D-1024-2-12-8, D-1024-2-12-9, D-1024-2-12-13, D-1024-2-12-14, D-1024-2-12-15. He state he has two leases with individuals for grazing animals on the lots and that livestock trails across the lots on their way to and from the mountains.

Cindy Bulloch reported that as the Assessor she has walked the lots in question and could find no sign of livestock use. There are no fences and the lots consist of mainly pinion juniper and oak brush. The property is required to be a viable agricultural use to qualify. Also the CC & R's of the Cedar Highlands Subdivision do not allow animals without corrals and fences along with approval of the Home Owners Association.

Michael Edwards explained that Iron County is a "fence out" county for range land but within a subdivision it changes to a "fence in" requirement for livestock. Without fences the parcels would not qualify for green belt.

Alma Adams made a motion to allow Mr. Porter to provide proof of fencing of the parcels and a letter from the Homeowners Association stating that the use as pasture is permitted under the Subdivision CC&R's. Also to require lessees to appear to verify agricultural use as described in Utah Code. The application for green belt is denied at this time. Allow Mr. Porter to submit as a regular BOE matter. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Lowman Nelson and Ryan / Summer Cornelius:

Cindy Bulloch also presented review greenbelt status for Lowman Nelson, Property Serial #B-1492-0004 and Ryan / Summer Cornelius, Property Serial #B-1492-0003 as a Follow up on agreement from May 14, 2012 Commission meeting. She explained that between the two parcels

there is enough acreage to qualify for greenbelt however separate parcels do not comply. Cindy reported that she has explained this to Mr. Nelson and the Cornelius'. She recommended that they combine the parcels with quit claim deeds to one ownership to allow for greenbelt on qualifying acreage. Dale Brinkerhoff made a motion to approve greenbelt status on the qualifying 7.023 acres of the combined parcels and removing 5 acres considered as a gravel pit, subject to filing quit claim deeds in the County Recorders office. Also to approve no roll back on the gravel pit portion as use has not changed. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

VALLEY VIEW MEDICAL CENTER TAX EXEMPTION & ANNUAL REPORT :

Jason Wilson, Administrator of Valley View Medical Center along with Steve Vance, Regional Finance Officer, Wayne Clark, Board Chair, Becky Bronson, Public Relations Representative, and Reed Sargent, Valley View Financial Officer reported on the care provided and uses of facilities at Valley View Medical Center in Cedar City. Currently there are 500 employees with an annual payroll of twenty three million. Valley View provided 2.8 million in charity care and wrote off another 2.7 million as bad or uncollectible debt.

The hospital provided expanded cancer and cardiology centers and added a new cardiologist to staff. Also added a new wound clinic adjacent to the hospital campus. IHC has purchased property in Parowan and will be constructing a new clinic. Services provided included 883 babies delivered, 15,400 emergency room visits, 3,100 surgeries, and 2,800 admissions.

COUNTY BEE INSPECTOR :

Blaine Nay met with the Commission to discuss the appointment of a bee inspector for Iron County. After reviewing contracts other Counties have with bee inspectors, it was determined that in most cases they serve as a volunteer and use their own vehicle. Counties generally reimburse inspectors for the mileage they use in inspecting bee hives within the County. David Miller made a motion to approve drafting a contract for an Iron County Bee Inspector with the understanding that this is a volunteer position and that the County assumes no liability for the actions of the bee inspector. Also that the County will reimburse at the County mileage reimbursement rate the miles traveled in inspecting bee hives within the County. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

RESOLUTION 2013-6 SOUTHWEST REGIONAL RESPONSE TEAM :

Because a voting member representing Iron County on the Southwest Regional Response Team, Charles Morris is no longer an Iron County employee, Resolution 2013-6 designating a new voting member was introduced. Dale Brinkerhoff made a motion to adopt the following resolution as presented. Second by David Miller.

**IRON COUNTY, UTAH
RESOLUTION NUMBER 2013-6
May 13, 2013**

**A RESOLUTION APPOINTING EXECUTIVE COMMITTEE MEMBERS TO
THE SOUTHWEST REGIONAL RESPONSE AND COORDINATING TEAM**

WHEREAS, Iron County participates in the Southwest Regional Response and Coordinating Team, and

WHEREAS, Iron County may appoint two voting members to the Executive Committee for a term of two years,

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Iron County, Utah, as follows:

1. Marie Brooks is hereby appointed to fill a term of office as a member of the Executive Committee of the Southwest Regional Response Team, which term will expire on December 31, 2014.
2. Paul Irons is hereby appointed to fill a term of office as a member of the Executive Committee of the Southwest Regional Response Team, which term will expire on December 31, 2014.

Passed and adopted by the Board of County Commissioners of Iron County, Utah this 13th day of May 2013.

IRON COUNTY BOARD OF COUNTY COMMISSIONERS

Alma L. Adams, Chairman

ATTEST:

David I. Yardley, Iron County Clerk

VOTING:

Alma L. Adams Aye

Dale M. Brinkerhoff Aye

David J. Miller Aye

FRONTIER HOMESTEAD STATE PARK :

Todd Prince, manager of Frontier Homestead State Park met with the Commission to outline the celebration of the designation of the park as a State Park. This year with the support of the County and Gilbert Development an ore shovel was moved to the park along with a caboose from Southern Pacific Railroad. A Commissioner was invited to speak about the donation at a program to be held later this year. Dale Brinkerhoff volunteered to be the County representative as he has been instrumental in arranging the move of the ore shovel and the caboose.

TAX MATTERS - TAX DEFERRAL REQUESTS :

Steven R. Price representing himself and his mother came before the Commission to request a tax deferral agreement stating that because of extreme hardship and health problems they have been unable to bring the taxes current. Dale Brinkerhoff made a motion to approve the tax deferral agreement for Connie E and Steven Ricky Price J/T on the following parcels. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PARCEL 1:

Account Number 0280583

Parcel Number D-0502-0011-0000

Acres 3.12

Situs 2503 W 5500 N , CEDAR CITY, UT

Legal Description: BEG AT PT S0*23'02"W 1329.60 FT; S89*50'12"E 2614.75 FT & N0*23'02"E 189.60 FT NW COR SEC 9,T35S,R11W, SLM; N0*23'02"E 314.40 FT; N89*50'12"W 432.14 FT; S0*23'02"W 314.40 FT; S89*50'12"E 432.14 FT TO POB. SUBJ TO 33 FT EASE ALG E'LY BNDRY & ANY OTHER EASE & R/W.

Property Taxable Value for 2012: \$42,045.00

Total Taxes, Interest, Penalty Due as of May 15, 2013: \$5,308.85

Taxes, Interest, Penalty, Deferred: \$5,308.85

PARCEL 2:

Account Number 0301280

Parcel Number D-0502-0011-0001

Acres 1.88

Legal Description: BEG AT PT WH IS S0*23'02"W 1329.60 FT & S89*50'12"E 2614.75 FT FR NW COR SEC 9,T35S,R11W, SLM, N0*23'02"E 189.60 FT, N89*50'12"W 432.14 FT, S0*23'02"W 189.60 FT, S89*50'12"E 432.14 FT TO POB.

Property Taxable Value for 2012: \$6,500

Total Taxes, Interest, Penalty Due as of March 15, 2013: \$993.98

Taxes, Interest, Penalty, Deferred: \$993.98

Larell and Marlene Roundy applied for a tax deferral on their property described as follows:

Account Number 0023694

Parcel Number A-0840-0007-0018

Acres 0.43

Situs 4577 N 1230 E, ENOCH, UT

Legal ALL LOT 18, BLK 7, WESTERN HOMESTEAD SUBDIVISION.:

Property Taxable Value for 2012: \$56,030.00

Total Taxes, Interest, Penalty Due as of May 15, 2013: \$4,106.38

Taxes, Interest, Penalty, Deferred: 4,106.38

The Roundy's anticipate that the taxes will be paid by their mortgage lender but in case this is later than the tax sale they requested an additional month to bring their taxes current. Dale Brinkerhoff made a motion to approve a tax deferral agreement with the option that Roundy's could redeem the property prior to the tax sale. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Gateway Holdings LLC/Pinon Property applied for a tax deferral on properties in the Parkview Subdivision in Enoch. They explained in their application that they received the

property as a portion of a larger land deal with ANB Holding LLC. The taxes were not brought current on the land transfer and they have not had sufficient time to bring all of the delinquencies current. They offered \$50,000 down and the remainder to be paid in monthly payments to be completely on or before March 1, 2014. The deferral covers over 130 parcels with the following tax information:

Property Taxable Value for 2012: \$1,260,525

Total Taxes, Interest, Penalty Due as of May 14, 2013: \$243,377.66

Taxes, Interest, Penalty, Deferred: \$243,377.66

Dale Brinkerhoff made a motion to approve the tax deferral provided that the owners submitted a payment of \$50,000 and execute an agreement prior to the tax sale. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PRAIRIE DOG TAKE :

A request for take on Lot 39 of Mountain Shadows Subdivision Phase III, Cedar City, UT for 7.2 Utah Prairie Dogs and .25 acres of habitat was approved after an explanation by Jessica Van Woeart that there are active burrows and observed prairie dogs on the parcel. By incorporating the formula outlined in the HCP the total take is 7.2. David Miller made a motion to table the take of 7.2 Utah Prairie Dogs on Lot 39, Mountain Shadows Subdivision, Phase III to allow for a new count in June. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

A request for permanent take on Lot 38 of Mountain Shadows Subdivision Phase III, Cedar City, UT. Take for development of the property will be 3.6 Utah Prairie Dogs and .25 acres of habitat. David Miller made a motion to approve the take of 3.6 Utah Prairie Dogs on Lot 38, Mountain Shadows Subdivision, Phase III. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

A request for permanent take on Lot 42 of Mountain Shadows Subdivision Phase III, Cedar City, UT. Take for development of the property will be 3.6 Utah Prairie Dogs and .25 acres of habitat. David Miller made a motion to approve the take of 3.6 Utah Prairie Dogs on Lot 42, Mountain Shadows Subdivision, Phase III. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

A request for permanent take on Lot 43 of Mountain Shadows Subdivision Phase III, Cedar City, UT. Take for development of the property will be 3.6 Utah Prairie Dogs and .25 acres of habitat. David Miller made a motion to approve the take of 3.6 Utah Prairie Dogs on Lot 43, Mountain Shadows Subdivision, Phase III. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

A request for take by Cedar City Corporation for proposed development of upgrades at the Waste Water Treatment Plant located at 2300 W 7200 N, Cedar City UT with take for development of this property will be 3.6 Utah Prairie Dogs and 1.6 acres of habitat. Dale Brinkerhoff made a motion to approve the take of 3.6 prairie dogs on 1.6 acres of habitat as requested. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

A request for permanent take on Lot 33 of Mountain Shadows Subdivision Phase III, Cedar City, UT. Take for development of the property will be 7.2 Utah Prairie Dogs and .23 acres of habitat. Dale Brinkerhoff made a motion to approve the take of 7.2 Utah Prairie Dogs on Lot 33, Mountain Shadows Subdivision, Phase III. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PANIC BUTTONS FOR COUNTY BUILDINGS :

Jared Wilson presented panic button contract for the Iron County Courthouse and the Iron County Justice Center. He recommended the bid of Titan Security for installation and monitoring services. Dale Brinkerhoff made a motion to accept the bid of Titan Security as presented and recommended. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

COURTHOUSE ASBESTOS REMOVAL :

Bids for removal of asbestos removal in the broiler room of the Iron County Courthouse were reviewed. Rockmont Industries submitted a bid based on other work in the St. George area and where the County could not move forward within the time frame outlined in the bid, David Yardley was asked to contact Rockmont Industries to determine if their bid is still valid. The matter will be placed on an agenda for action when firm figures are received.

PERSONNEL MATTERS :

Leslie Bishop presented a request from the Sheriff's Office for approval of a Proclamation for Nation EMS Week May 19 through 25, 2013. David Miller made a motion to approve the proclamation as presented. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie also presented a request for approval to hire Shelby Thurgood as a part time secretary, maximum 25 hours per week, in the Sheriff's Office effective May 13, 2013 to replace Melissa Montiano. Dale Brinkerhoff made a motion to approve the hiring of Shelby Thurgood as a part time secretary in the Sheriff's Office. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie presented a request for approval of a status change for Amy Jo Reeves from part time to full time Paramedic in the Emergency Services Division effective April 13, 2013 as a replacement for Sonia Holt who resigned. Dale Brinkerhoff made a motion to approve the status change for Amy Jo Reeves from part time to full time effective April 13, 2013 as requested. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie presented a request for approval to hire Marie Brooks as the Emergency Management Coordinator in the Emergency Services Division effective April 13, 2013. David Miller made a motion to approve Marie Brooks as the Emergency Management Coordinator as requested. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie presented a request for approval to hire a full time Paramedic From current hiring roster to replace two part time Paramedics who recently resigned. Dale Brinkerhoff made a

motion to approve the hiring of a full time Paramedic from the existing roster as requested.
Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie presented a request from the Tourism/Parks and Recreation Department to hire Douglas Thompson as a part time outdoor maintenance technician effective May 6, 2013. David Miller made a motion to approve Douglas Thompson as a part time outdoor maintenance technician with a strict 25 hour per week limit. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

ADJOURN _____ :

The meeting was adjourned at 3:40 p.m. on a motion by David Miller. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Signed: Alma L. Adams, Chairman

Attest: David I. Yardley
County Clerk