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IRON COUNTY COMMISSION MEETING

July 14, 2014

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 14, 2014 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams Commission Chair Pro Tem

Dale M. Brinkerhoff Commissioner

G. Michael Edwards Deputy County Attorney

David I. Yardley County Clerk

Also Present:

Dennis Johnson County TV Specialist

Ryan Riddle County Fire Marshal

Joyce Evans County Fair Director

Absent:

David J. Miller Commission Chair

SYNOPSIS :

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APPOINTMENT OF CHAIRMAN PRO TEM :

Dale Brinkerhoff made a motion to excuse Commission Chair David Miller as he is attending National Association of Counties meetings in New Orleans and to appoint Alma Adams as Chair Pro Tem.

Second by Alma Adams, Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Ryan Riddle.

APPROVAL OF MINUTES June 9, 2014 :

Minutes of the Iron County Commission meeting held June 9, 2014, 2014 were approved on a motion by

Dale Brinkerhoff. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

APPROVAL OF MINUTES June 23, 2014 :

Minutes of the Iron County Commission meeting held June 23, 2014, 2014 were approved on a motion by Dale Brinkerhoff. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

APPROVAL OF MINUTES July 7, 2014 :

Minutes of the Iron County Commission meeting held July 7, 2014, 2014 were approved on a motion by Dale Brinkerhoff. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

REPORTS :

Dennis Johnson, TV Specialist, reported that the Federal Communications Commission is in the process of repacking channels to allow more bandwidth for cellular services. This could cause significant changes in channel allocation and in equipment replacement. Dennis also reported that there is no movement on permitting a wind farm near the Beryl TV site. If this project proceeds it could require replacing this site where there would not be so much interference.

Ryan Riddle, Fire Marshall, presented an annual report showing there were no injuries or deaths from fire in Iron County. A State funded fuels mitigation grant was received this year and will be used in reducing spruce trees on the North side of Brian Head. Aspen trees will be left.

Ryan reported that Parowan has received a Type 4 heavy fire truck. This will replace older military vehicles.

Joyce Evans, Fair Chairperson, reported that the Miss Iron County contest is struggling. The pageant will be held in October again but to this date there are only three contestants that have signed up. The Fair theme this year is "Proud to be an American." They are looking for flags with a story that can be used at events and the story told.

Because of a death of a man at the Delta Demolition Derby last month, changes will be made to help mitigate the danger to participants and spectators. Joyce asked about a request to pass a hat for donations. The Commission was not in favor of this but agreed that an announcement could be made telling people where they could donate at a bank.

Lisa Taylor, Congressman Stewart's representative reported that a bill titled wild horse oversight act was released to the public last week. The bill would allow States to manage wild horse populations similar to other wildlife such as deer and elk. She also discussed changes in Veterans Administration that will allow Veterans to place money in a health savings account and it is proposed that Veterans will be able to receive benefits at local hospitals. With VA support.

Alma Adams reported that he attended and welcomed County Recorders at their summer workshop and the ribbon cutting ceremony on the reconstruction of Parowan main street.

PUBLIC COMMENTS :

The Commission invited public comments for non agenda items. No public comments were received.

INTERLOCAL ROADSIDE SERVICE AGREEMENT :

An agreement between Central Iron County Water Conservancy District and Iron County for the maintenance and signing of the wellhead protection zone surrounding the District wells in Derby Ranchetts Subdivision was presented by Justin Wayment. The Water Conservancy District agrees to maintain the right of way by controlling weeds performing maintenance that may threaten the wellhead, and placing signs designating the protection area. The County agrees to not use chemicals in spraying weeds within the protection area as marked.

Dale Brinkerhoff made a motion to approve the agreement and to authorize the Commission Chair to sign. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

FIRE DEPARTMENT COOPERATIVE AGREEMENTS :

Ryan Riddle, Iron County Fire Marshall, met with the Commission to finalize interlocal agreements with local fire departments in Parowan, Paragonah, Brian Head

RESOLUTION 2014-14 RECYCLING MARKET DEVELOPMENT ZONE :

Brennan Wood presented a request to re-authorize the creation of a recycling market development zone within Iron County. Since 1996, Utah Code has allowed tax credits to businesses for purchasing certain

types of industrial equipment and operating costs if the business is located within a Recycling Market Development Zone (RMDZ), as approved by the Governor's office of Economic Development.

Two types of State income tax credits are available:

1. 5% Utah state income tax credit on the cost of machinery and equipment
2. 20% Utah state income tax credit (up to \$2,000) on eligible operating expenses

All eligible businesses must request their tax credits through the State tax system; The County does not offer any financial assistance to the businesses. The creation of a zone simply allows businesses to begin the process of applying for the State tax income credits.

The authorization must be re-authorized every five years and this Resolution will re-authorize Resolution 2010-2 adopted April 12, 2010.

Dale Brinkerhoff made a motion to adopt Resolution 2014-14 as presented. Second by Alma Adams.

Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY COMMISSION

RESOLUTION NO. 2014-14

A RESOLUTION AUTHORIZING APPLICATION TO THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT FOR CREATION OF A RECYCLING MARKET DEVELOPMENT ZONE IN IRON COUNTY

WHEREAS, tax credits are available to certain businesses operating within a Recycling Market Development Zone (RMDZ), as established by the Utah Governor's Office of Economic Development per Section 63M-1-1104, Utah Code Annotated;

WHEREAS, the Iron County will not be impacted financially, other than notifying businesses that the RMDZ tax credits are available from the State;

WHEREAS, the Recycling Market Development Zone is established for 5 years and must be renewed every 5 years through the Governor's Office of Economic Development;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH, as follows:

Section 1. Iron County authorizes submittal of the application (Exhibit "A") to the Governor's Office of Economic Development for the creation of a Recycling Market Development Zone.

PASSED AND ADOPTED by the Board of County Commissioners of Iron County, Utah this 14th day of July, 2014.

IRON COUNTY BOARD OF COUNTY COMMISSIONERS

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David J. Miller, Chairman

ATTEST:

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David I. Yardley, Iron County Clerk

RESOLUTION 2014-15 APPROVAL OF THE CERTIFIED TAX RATE FOR 2014:

Gene Adams presented a request to approve the certified tax rate for Iron County, 0.001459; Library,

0.000082; Discharge of Judgement, 0.00000; Health, 0.000083; Multi County Assessing and Collecting, 0.000013; County Assessing and Collecting, 0.000593; for a total County tax rate of 0.002230 for the tax year 2014. Dale Brinkerhoff made a motion to adopt Resolution 2014-15 approving the certified tax rate for Iron County for 2014 and to authorize the Chair to sign the Resolution. Second by Alma Adams.

Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

A copy of the resolution will be added to the minutes as Exhibit "A".

#### RESOLUTION 2014-16 APPROVAL OF MSD CERTIFIED TAX RATE 2014 :

Gene Adams also presented a request to approve the certified tax rate for the Municipal Services District of Iron County at 0.003009 for the tax year 2014. Dale Brinkerhoff made a motion to adopt Resolution 2014-16 approving the certified tax rate for the Municipal Services District for 2014 and to authorize the Chair to sign the Resolution. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

A copy of the resolution will be added to the minutes as Exhibit "B".

#### BUILDING FEE WAIVER REQUEST - PAROWAN CITY :

Chad Nay presented a request to waive the building permit, inspection and plan check fees for construction of rest rooms and a pavilion on the Parowan City park. He explained that the County has waived fees for other projects being inspected within other jurisdictions we contract to perform their building inspection. Dale Brinkerhoff made a motion to approve the waiver of building inspection and inspection fees for a rest room and pavilion facility on the Parowan City park as requested. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

#### GREENBELT ROLLBACK/REINSTATEMENT MATTER :

Cindy Bulloch and Peter Thornton met with the Commission to explain a request for approval to file a late application for green belt on property identified as Serial Number E-111-0002-0000; Account Number 0356193, a twenty acre parcel in Cedar valley. Cindy explained that Mr. Thornton filed a green belt application last year that was missing a signature. The Board of Equalization recommended approval for the one year to allow for the additional signature to be obtained or the green belt would revert to full value tax.

Mr. Thornton explained that he was going through a divorce in 2013 and his ex wife, a joint tenant could not be located to obtain a signature. He has since sold all of his livestock and was willing to remove it from green belt. He has been approached by Ginger Grimes, Dust Devil Horse Rescue, to use the property as a temporary pasture while they build additional facilities at a different location. The use by Dust Devil will meet the requirements to qualify for green belt and would waive the roll back for this year.

Dale Brinkerhoff made a motion to approve an extension to obtain the joint tenant signature and to have the qualifying livestock on the property. If the proper documentation is not received by the County on or before August 11, 2014, the roll back tax for 2013 will be applied and the property will be taken out of green belt. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

#### COLLECTION OPTIONS FOR DELINQUENT BUSINESS PERSONAL PROPERTY:

Cindy Bulloch, Iron County Assessor, presented a concern with delinquent business personal property owners that have failed to return their required affidavits by statutory deadlines. The option left to the Assessor is to place penalty and interest on the properties and to seize business assets to pay the delinquency. Cindy suggested that it may help to publish a list of delinquent accounts similar to delinquent property tax in an effort to collect.

Dale Brinkerhoff made a motion to publish a list of delinquent business personal property accounts with the amount of tax owed. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

#### PERSONNEL MATTERS :

Leslie Bishop presented a request from the Council on Aging approve Lana Bauer as a new hire temporary cook effective July 9, 2014 to fill in while the regular cook is out on leave.

Dale Brinkerhoff made a motion to approve hiring Lana Bauer as a temporary full time cook as requested. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Leslie presented a request from the Sheriff's Department to approve David Pangan as a new hire effective July 7, 2014 to backfill the position held by Wayne Peterson who has retired; to approve Jarod Hansen as a new hire effective July 7, 2014 to backfill a vacant position; to promote Corporal David Mitchell Detective Sergeant effective June, 23, 2014 to backfill a position vacated by the promotion of Lieutenant Schlosser; to approve Pedro Garcia for employee advancement upon his completion of Officer Field Training (FTO) and one year probation; approve Brenda Pires for employee advancement upon completion of 6 months Officer Field Training (FTO); approve Pierce Robertson for employee advancement upon completion of 6 months Officer Field Training (FTO); and approve Joshua Winder for employee advancement upon his completion of Officer Field Training (FTO) and one year probation.

Dale Brinkerhoff made a motion to approve the personnel actions requested by the Sheriff's Office.

Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Leslie presented a request from the Road Department to approve Shawn Slaugh as a new hire, effective July 7, 2014 to backfill of position left by the resignation of Jamie Webb. Dale Brinkerhoff made a motion to approve the hiring of Shawn Slaugh as requested. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Leslie and Debbie Johnson presented a request to approve a job description for a new Cadastral Mapper 1/Office Manager position in the Recorder's Office. It is the intent to promote the current office manager, Carrie Jeffries into a Cadastral Mapper Trainee and to allow the cross training to have an employee ready in case of a vacancy in the Cadastral mapping area. The grade would be a grade 17 in our system. Dale Brinkerhoff made a motion to approve the new job description of Cadastral Mapper 1/Office Manager as requested. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

#### PRAIRIE DOG MATTERS :

Progress on the prairie dog fence surrounding the Cedar City golf course is progressing. There are three interns from Workforce Services that are working with the prison crew in constructing the fence.

#### REVISION OF SECTION 5 - PROGRESSIVE DISCIPLINE :

Leslie Bishop presented a proposed revision to the Iron County Personnel Policy Section 5, Progressive Discipline. The policy brings the discipline process into compliance with State Code. The proposed amendment has been distributed to County Departments for comments or recommendations. No comments have been returned.

The Commission explained that because of computer problems they did not have a chance to review the proposed policy and Dale Brinkerhoff made a motion to table action to the next Commission meeting scheduled for July 28 to allow the Commission to understand the changes. Second by Alma Adams.

Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

#### REVISION OF SECTION 8 - GRIEVANCE AND APPEALS :

Leslie Bishop presented an amendment to Section 8 of the Iron County Personnel Policy which removes references to the Merit Service Commission that handled grievances and appeals from public safety employees. The grievances will be handled by the Career Service Board. Alma Adams made a motion to approve the amendment to Section 8 of the Iron County Personnel Policy, Grievances and Appeals.

Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

#### DISCUSSION OF WAGE AND SALARY STRUCTURE :

Leslie Bishop discussed with the Commission the need to complete a wage study to determine if County employee wages are in line with prevailing wages in Counties of the same class and with other comparable jobs in Southern Utah. She noted it has been several years since a wage increase has been given due to the economy. As the economy is rebounding employees are looking for other employment where there is a chance of advancement. Also by freezing wages, a disparity has been created with longer term employees verses new employees.

Leslie reported that Work Tech has performed similar wage studies for other entities with costs varying from \$1,200 to \$21,000 depending on the level of the study.

No action was taken on this item at this time.

ADJOURN

:

The meeting was adjourned at 11:50 a.m. on a motion by Alma Adams. Second by Dale Brinkerhoff.

Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye.

Signed: David J. Miller, Chairman

Attest: David I. Yardley  
County Clerk