IRON COUNTY COMMISSION MEETING
February 9, 2015

Minutes of the Iron County Commission meeting convened at 9:00 a.m. February 9th, 2015 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
Scott Garrett	County Attorney
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

H. Eugene Adams	County Auditor
Cindy W. Bulloch	County Assessor
Nicole B. Rosenberg	County Treasurer
Leslie Bishop	Human Resources Director
Lieutenant Brad Spencer	Corrections Supervisor
Lori White	Justice Court Administrator
Reed Erickson	Iron County Planner

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Brad Spencer.

INVOCATION

An invocation was offered by Scott Garrett.

DEPARTMENTAL REPORTS

Scott Garrett, County Attorney, reported on the Attorney's Office budget as of November 30, 2014. Scott noted that the department had used 85.47% of the 92% of the budget they should have used at that point. He felt confident that, based on that snapshot

that the Attorney's Office finished 2014 under budget. Scott noted that he did not observe any line items that were over budget, except vehicle fuel, which was a little over.

Scott continued his report by reviewing departmental statistics. He noted that felony cases increased to 511 in 2014, in particular those that were drug-related. Scott noted that felony cases provide a better gauge where the county is and how busy the Attorney's Office is because they do not fluctuate as much.

Alma Adams asked what type of felonies constituted the majority of the cases. Scott Garrett answered that the felony drug cases constituted the majority of the cases, with some categories at all-time levels. Scott noted that the Drug Task Force filed on 112 cases.

David Miller asked what Scott Garrett's opinion was concerning a bill requested by Governor Herbert to reduce certain drug offenses from felonies to Class A misdemeanors for the first four offenses. Scott replied the Utah County and District Attorneys Association had discussed the issue and even approached the Governor about it. Scott clarified that he and the Association were not supportive of changing the felony crimes to misdemeanors. Further, they were not in support of changing drug distribution charges from 2nd Degree felonies to 3rd Degree felonies. Scott felt that unfortunately, the legislation had some momentum behind it. Scott explained that the impetus behind the legislation was to reduce prison populations and focus more on treatment. David Miller noted that the rural counties of Utah do not receive funding like larger counties do for rehabilitation. David felt like Salt Lake County would be the only county to receive such funding. David and Scott expressed that there was some opposition to the bill.

Scott Garrett and the Commissioners then discussed funding for rehabilitation. Dale Brinkerhoff mentioned the Southwest Center as a resource. Scott Garrett mentioned that he would like to see more done to rehabilitate drug users, but not at the expense of the tools prosecutors currently have in such cases.

Scott also reported that homicides held steady at four. He also mentioned that the Attorney's Office currently has ten active homicides or attempted homicides they are currently prosecuting. He mentioned that 2015 could be a very busy year, as the Attorney's Office works to bring those cases to trial.

Dale Brinkerhoff asked whether the Thad Robertson case would end in a plea bargain, or whether it would go to trial. Scott Garrett said that he thought it would go to trial. Scott mentioned that he had made an offer in the case, but that they did not seem interested.

Dale Brinkerhoff then asked whether the idea of charging a $200 fee for a second appeal had ever been implemented. Dale clarified that the notion of charging for subsequent appeals after their first appeal to discourage the behavior had been discussed. Michael Edwards said that such a fee had not been implemented, but that the Attorney's Office typically asks for reimbursement for the public defenders at the time of sentencing. Scott Garrett clarified that, depending on the length of the case, the Attorney's Office is reimbursed from $100 to $400. Scott said he was unsure of how much of those monies are returned to Iron County.

Scott Garrett explained further that with an appeal, the case moves from District Court to the Court of Appeals, where Iron County has no jurisdiction. Scott said he does not know how he would impose the $200 fee for an appeal. Dale Brinkerhoff clarified that his desire was to bring the number of frivolous appeals down, thereby reducing the Public Defender expense.

Scott Garrett responded, explaining that limiting the opportunities for convicts to appeal begins to infringe upon their constitutional right to appeal. Any action to limit the right to appeal would appear to be trampling on convicts' rights. Scott further explained that Iron County is only financially responsible for the first appeal. Subsequent appeals are not Iron County's financial responsibility. Dale Brinkerhoff asked whether the Attorney's Office was doing the best it could under statute. Scott Garrett answered that, yes, they were doing the best they could.

Alma Adams asked the reason for the high number of appeals. Scott Garrett responded that of the high number of appeals came from a relatively small number of convicts. David Miller asked at what point we as a community need to intervene to prevent wasting tax dollars on frivolous appeals. Scott Garrett replied that this paradigm bolsters the argument against the proposed legislation reducing the drug penalties as suggested by the Governor because now those individuals will not be in prison, but free to commit additional crimes that they can later appeal. Further, the monitoring of those convicted of Class A misdemeanors is much less than those convicted of felonies, thereby

increasing recidivism. Michael Edwards also noted that for Class A misdemeanors, incarceration happens in the local jails, not in the state prisons, which constitutes a cost shift from the State of Utah to the counties.

David Miller noted that the Utah Association of Counties (UAC) has taken a position opposing the proposed legislation. Scott Garrett responded that while there are many voices in opposition to the proposed legislation, there are also many in favor of it. David Miller said he felt that those in favor of the proposed legislation were considering the individuals that are not perceived to be doing anything but being involved with illegal drugs. David noted however, that in his conversations with Sheriff Gower, that in cases of abuse or domestic violence, drugs are almost always involved. He said that to weaken the position of the State in terms of drugs is a mistake. David expressed that he felt the efforts to get people off drugs were great, but that weakening the penalties was not the answer.

Scott Garrett replied, noting that nationwide, law enforcement and prosecutors are suffering from a lack of trust which precipitates laws that take away the prerogative they have under the law to compromise for everyone involved. Scott noted that Class A misdemeanors are given in most instances. Typically, Drug Court, treatment, and other non-prison options are exhausted before a person is sent to prison. Scott noted that this legislation will mainly take the discretion away from prosecutors. He also explained that with Class A misdemeanors individuals can never be sent to prison. Scott then asked the Commissioners to exert any influence they have to oppose the proposed legislation.

Lori White, Justice Court Administrator reported that the atmosphere in the Justice Court had become increasingly more comfortable. Lori noted that her main focus was to understand and manage the financial aspects of the Justice Court to the best of her abilities. She mentioned that from daily reports to monthly reports, she said everyone had come together to make sure they were accurate and submitted on time.

Lori explained that she felt like the personnel aspect of the Justice Court was doing well. She noted that she was seeking to understand the judicial aspect better. Lori had been attending as many courtroom sessions as possible to absorb and better understand the roles of clerks.

Lori expressed gratitude to the IT Department for their assistance with the Justice Court portion of the Iron County website (www.ironcounty.net). She explained that by having more of the Justice Court policies and information online, that it would reduce the influx of calls and questions to staff. Lori felt as though this would reduce the burden on staff, and free them up for more vital functions.

Lori expressed that her goals were to help the court clerks catch up with their reporting, as well as to make the clerks feel they have a voice. Lori noted that some of the reports are months past due. Dale Brinkerhoff asked why other agencies had not complained about the past due reporting. Lori responded that she needs to understand each part of the process better. She expressed concern that during a future audit, issues would come up if the reports do not become current.

Lori concluded her report by expressing gratitude for new equipment the Justice Court was able to acquire. In particular, there were five new headsets for the clerks, as well as new computers with dual monitors.

Lieutenant Brad Spencer, Corrections Supervisor reported that in 2014 approximately $967,000 in revenues were received. Lieutenant Spencer also reported that approximately $187,000 of inmate debt were referred to collections in 2014.

David Miller expressed gratitude to Lieutenant Spencer for clarifying that the optimum number of beds is 212. David explained that this dovetails with the discussion earlier with County Attorney Scott Garrett regarding misdemeanors versus felonies. Lieutenant Spencer agreed that by having more misdemeanors and fewer felonies there would be a cost shift to Iron County and away from the state of Utah.

Dale Brinkerhoff asked for clarification regarding the $187,000 of inmate debt referred to collections in 2014. Lieutenant Spencer replied that most of that debt was due to the "Pay for Stay" program wherein the inmates are required to pay $10 per day of incarceration. Dale Brinkerhoff then asked how that program could be strengthened. Lieutenant Spencer explained that they simply send those individuals to collections. Michael Edwards warned that Iron County should exercise caution in doing any more than refer those individuals to collections, citing problems that Davis County has experienced.

Lieutenant Spencer then described some of the capital improvements made at the jail. He noted that sidewalks and curbing were repaired on the Northwest and South sides

of the building; the motors on the HVAC system were upgraded; newer circuit boards were installed; tile in the womens' employee locker room was repaired from an earlier broken pipe; the squad room and break room both received fresh coats of paint; additional cameras were installed; 20 new Glocks were purchased; they purchased a new warmer to improve operations in the kitchen; a new truck was purchased for the work crew using savings reallocated from the culinary budget; nonlethal rounds for the CRT team were purchased; and finally, a new conference room table was purchased so that staff meetings and training can be held in a better setting.

Lieutenant Spencer reported that the jail completed 661 bookings during the fourth quarter of 2014, an increase of 124 bookings over the previous quarter. He also noted that the average daily inmate population was 138, this also was an increase. Dale Brinkerhoff asked what the current jail population was, to which Lieutenant Spencer replied there were currently 152 inmates housed. He elaborated that of those ten were state inmates and nine were federal inmates.

Lieutenant Spencer reported that the inmate work crew performed about 714 hours of service, noting that most of the work was performed for the Iron County Engineer's office.

Lieutenant Spencer reported that they have a video court system that has saved them a great deal of travel expense. He explained that 68 inmates have used the system to prevent travelling to the various courtrooms where they were to appear in court, saving a great deal of expense in travel costs.

Lieutenant Spencer then described the video visitation system that they have employed in the jail, allowing the public to visit with their inmate from their computer at home. This video visitation system has saved many man hours preventing having to move inmates around the facility.

Lieutenant Spencer then offered a suggestion, noting that currently Iron County operates three kitchens, one at the jail and two at the Council on Aging. He suggested that those kitchens be consolidated into one, and that the jail could meet the needs of all three, thereby reducing costs. He noted that in Utah and Davis counties, this is already the practice. Lieutenant Spencer noted that the jail's menus have already been approved by a dietitian, that they provide special meals, such as diabetic, low salt, and various religious diets. The commissioners expressed enthusiasm at this cost-saving idea. The commissioners acknowledged that the jail is ran efficiently.

Dale Brinkerhoff asked what a good time frame would be to revisit the architecture of the jail facility. Lieutenant Spencer responded that he felt that it might make sense to revisit the architecture of the jail facility in about five years, and that any potential building changes would make sense in roughly ten years. Dale Brinkerhoff then explained that he had discussed the possibility of adding 25 additional beds to the facility with Captain Brett Allred. These beds were to be added in what is currently an exercise room, however, there were plumbing and other issues that prevented this change. Instead, Iron County was hoping to receive 25 additional state inmates. Lieutenant Spencer explained that currently there are about 50 available beds, noting that they try to keep a reserve to manage the ebb and flow of prisoners.

PUBLIC COMMENTS

Gordon Batt commented on the prior meetings regarding the transfer of deer from the Panguitch Lake Unit. Gordon noted that he and his son, Destry, have been unsuccessfully contesting said transfer since November. He explained that he was there to express his feelings about how the process transpired. Gordon noted that his group had amassed over 400 signatures, but that he felt that those people were trumped by the seven people that came in from the Department of Natural Resources. He expressed frustration at having been excluded from the Sportsman for Wildlife function that was to explain the transfer of deer. Gordon then lamented that the deer are now gone. Gordon noted that within his family they have been unable to locate even a fraction of the deer. He noted that by the Department of Natural Resources own estimation 60% of the deer transferred perished. Gordon questioned how that could possibly be an acceptable mortality rate. He then expressed frustration that Teresa Griffin and other Department of natural resources staff have not been willing to reconnoiter the deer with the Batts. Gordon then surmised that this was because they were unable to defend their position. He then asked the Commissioners how this absence of deer would fit into the Iron County general plan. He asked whether or not they were concerned about how it would affect the economy. He questioned whether the Commissioners understood the impact the missing deer would

have on Iron County. Gordon then asked the Commissioners why he and his son Destry were not informed that Kevin Bunnell and the other staff from the Division of Natural Resources would be at the previous Iron County Commission meeting (held on January 26th, 2015). Gordon explained that he felt like he was stepping into an ambush, and that he would have prepared very different tactics had he known the DNR staff would be in attendance. Gordon said that he simply wants the deer saved. He concluded by expressing his disappointment and frustration with the Iron County Commission for having ignored his pleas.

Bryan Thiriot, Executive Director for the Five County Association of Governments (Five County), brought two items before the Iron County Commission. The first was to ask the commissioners what they felt the number one economic issue facing Iron County was. The second issue Bryan brought before the commissioners was the lease agreement Five County has for space in the Fiddlers Canyon building. Bryan noted that they would like to renew their lease, but that they would be vacating the West side of the unit they currently occupy. Dale Brinkerhoff asked Bryan Thiriot to prepare a presentation explaining what Five County would like to do with the unit.

Dale Brinkerhoff returned to Brian's original question which was what is the number one economic issue facing Iron County. Dale asked for continued support regarding the Utah Prairie Dog, helping to ensure the success of Syberjet, the job market, the slowdown in the iron mine operation, and water as it relates to future development in both Iron and Beaver counties.

David Miller noted that his number one economic concern facing Iron County is the tinderbox condition of our National Forests, and that we need to have the tools available to mitigate a large scale disaster. David expressed a desire to see a viable timber industry once again established in the forests on our mountains. He also expressed the need to work with and coordinate with the Forest Service such that forest roads are not unnecessarily closed, thereby limiting access. David echoed Commissioner Brinkerhoff regarding several public lands issues, including mining. He expressed concern over potential frivolous lawsuits that may impede the development of responsible mining in Iron County. Further, David mentioned SUU, tourism, the Utah Shakespeare Festival, The Utah Summer Games, the attraction to the rail spurs in Port 15, and the need for economic diversity.

Alma Adams expressed his concern regarding water. Alma noted that with ongoing growth and agricultural use as well as a deepening drought, the water situation may become acute in the near future. He expressed optimism that our region may receive relief from the drought conditions. Bryan Thiriot commented that instead of seeing snowplows that morning he had seen a work crew sealing the road surface.

Alma Adams also voiced concern over a three forest review that was occurring that appeared to be biased against grazing. Alma noted that there is a great deal of local support for grazing, and that a significant conflict on the subject would likely be coming.

Mike Worthen, the Iron County Natural Resource Management Specialist, reported on the progress made regarding the three forest review. Mike noted that he had been working on a draft of the Iron County Natural Resource Plan, particularly regarding grazing. He reported that all of the surrounding counties except Kane thus far had expressed interest in developing a grazing plan. Mike wondered if the Five County organization could help coordinate and draft a grazing resource management plan. Alma Adams expressed that by having such solidarity, the counties would collectively have more clout.

CONTRACT BETWEEN IRON COUNTY AND MESA CONSULTANTS REGARDING THE PUBLIC SAFETY BUILDING

William McMurrin, Principal Architect at Mesa Consulting Group, began by discussing the contract that had been sent to the Iron County Clerk's office. David Miller mentioned that the telecommunications conduits for the dispatch office needed to be included in the plans. William mentioned that he felt Mesa Consultants and Iron County were on the same page in this regard. He felt as though the plans did include adequate infrastructure for the telecommunications equipment.

William McMurrin explained that Mesa had met with all of the future tenants and discussed their needs to help with the architecture planning. William then proposed weekly meetings to discuss the progress of the Public Safety Building. The

Commissioners agreed, noting that Dale Brinkerhoff would attend the weekly meetings, as well as be the liaison between Iron County and Mesa moving forward.

William McMurrin then asked to show the Commissioners some of the preliminary plans Mesa had developed. The first concern William brought to the Commissioners' attention was concerning the site, in particular, parking. The dispatch department expressed a desire to have parking that is closer to the entrance. For this reason, Mesa suggested that the southerly parking area be designated as Dispatch and Utah Highway Patrol only. William noted that the building requires 68 parking spaces. He expressed concerned that the new building was reducing the existing parking, which might cause a problem with overall parking. William noted that Mesa would be checking with Cedar City regarding overall parking.

Dale Brinkerhoff then noted that an issue of greater concern was the existing underground irrigation easement that runs somewhere under the proposed Public Safety Building. Dale expressed that the building would likely need to be flipped to accommodate the existing irrigation easement. He mentioned that the intention had always been to relocate said easement to the East to move it out of the way of the Public Safety Building. William McMurrin explained that Mesa had been using Watson Engineering for site and survey work. Dale Brinkerhoff expressed that locating the existing underground irrigation easement should be paramount before moving forward.

William McMurrin then mentioned the basement of the planned Public Safety Building. William discussed possibly simplifying the basement configuration by not having basement under the Easterly wing of the building. William and the Commissioners then discussed how to provide access to the basement. They discussed stairwells, an elevator, an elevator shaft, and an external entrance to the basement. Alma Adams suggested that at a minimum, an elevator shaft should be included to accommodate any potential future need.

Reed Erickson, Planner and Special Services Coordinator for Iron County, then posed a question regarding the additional cost of building the basement. Reed wondered whether the State of Utah would be footing the additional cost of the basement through their lease agreements, or whether Iron County would pay the additional cost of building the basement. David Miller responded that the objective was to gain the additional value of a basement for a negligible additional cost. David noted that if the basement is built, the cost of building the basement versus not building the basement would be tracked. He also explained that any additional cost of construction would be shared between Iron County and the State of Utah.

A discussion then ensued regarding timing. Everyone agreed that construction was to begin in May. David Miller noted that there was a need for Reed Erickson to communicate with the Community Improvement Board (CIB) that funding needs to be in place ahead of time so the architects and contractors would be able to receive payment.

David Miller made a motion to approve the architectural contract with Mesa Consulting Group, with the details to be finalized with Wayne Christensen and Dale Brinkerhoff, with the clarification that no approvals will be granted for project costs above the monies approved by CIB. The only exception being any additional costs that may arise from construction of a basement. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

NIGHT HUNTING ORDINANCE OF NIGHT HUNTING INCLUDING SPOGHTLIGHTING WITH A WEAPON.

Due to the need to properly advertise, Alma Adams made a motion to defer the night hunting ordinance discussion until the February 23rd Iron County Commission meeting pending proper public notice of the necessary public hearing. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

FIDUCIARY ENGAGEMENT AGREEMENT WITH GEORGE K. BAUM & COMPANY

David Miller noted that in every way, the interactions that George K. Baum & Company had with Iron County had been prompt and very professional. David Miller then made a motion to accept the fiduciary engagement agreement with George K. Baum & Company. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

DISCUSSION CONCERNING THE IRON COUNTY BOOKMOBILE CONTRACT

The discussion began by a discussion regarding a spreadsheet Gene Adams, Iron County Auditor had prepared regarding the Iron County library service. Gene explained that "payments receivable," reflects the total tax charged, not necessarily the total tax collected, and that his spreadsheet did not account for delinquent taxes. Dale Brinkerhoff noted that Iron County should have been dispersing all of the Iron County library funds collected each year to the Parowan and Cedar City libraries. Unfortunately, Iron County had been dispersing only a fixed amount to the Parowan and Cedar City libraries each year, thus accumulating a $464,000 fund balance.

Dale Brinkerhoff then expressed that he felt there were two separate issues to be addressed during the discussion regarding the Iron County Bookmobile: first, it was necessary to determine how much money would be available for the Iron County Bookmobile moving forward; second, determine how the Iron County library funds should be best used, and legally how they could be used in regard to the Bookmobile service and the Parowan and Cedar City libraries.

Gene Adams then noted that by his calculations, Iron County had shorted the Cedar City library $186,000 and the Parowan library $64,000. Dale Brinkerhoff questioned why Gene Adams' calculation did not total $464,000. Gene noted that there were several factors that caused this, the primary factor being the $41,000 that Enoch City had been paying to the Iron County library fund.

David Miller asked Gene Adams if there had been agreements made in the past that reflected the service the Iron County Bookmobile provides to Cedar City and Parowan City, thereby reducing the amount Iron County pays to those city libraries. Gene responded that he was unaware of any such contracts, and that he simply paid the Cedar City and Parowan libraries based on the billing he had received and historical disbursements.

Gene Adams then explained that because of the timing of tax collection and the timing of when he makes payments, the $464,000 balance is artificially inflated and should more accurately reflect $261,000. David Miller then questioned whether Iron County was collecting more monies than it should be based on taxes and any agreements that might be in place. David then asked for clarification as to whether the $261,000 reflected the available fund balance. Gene replied that, in fact, there were $40,000 collected that he would pay out the following year, and therefore the available fund balance was actually $221,000.

Gene Adams continued, explaining that based on what he had budgeted and what the State of Utah had billed for the Bookmobile contract, the budget for the Bookmobile would be about $15,000 short in 2015. Gene then explained that of the Iron County library funds collected, $82,270 came from unincorporated areas and $12,293 came from Enoch City. Combined, this provided roughly $95,000 to go toward the Bookmobile program.

David Miller asked whether the only reason the budget for the Bookmobile would be $15,000 short was that Enoch City would no longer be paying the $41,000 they had historically paid. Gene Adams responded that yes that was the reason.

Gene Adams explained that his plan moving forward was to account for the $221,000 available fund balance as follows: keep a surplus cushion of $20,000 in the account; pay out $40,000 later in the year; pay the Cedar City library a pro-rated $138,585; pay the Parowan City Library a pro-rated $47,685; and leave a $15,000 shortfall with the Bookmobile.

David Miller asked whether anyone present remembered an agreement existing regarding payments to the Cedar City and Parowan Libraries. Steve Decker, Cedar City Library Director explained that he never found a contract, but that he recollected seeing some minutes of a meeting where the funds from incorporated areas were to be distributed two-thirds to Cedar City, and one-third to Parowan.

David Miller stated that he was searching for an equitable solution that made responsible use of the accumulated excess funds, as well ensure the continuation of the Bookmobile service. At that point, the discussion then moved to the Bookmobile schedule. It was determined that the Bookmobile service covered the majority of the county, but did not support Northern Iron County well, nor did it support Brian Head at all. The Bookmobile did have various stops in Cedar City.

Rob Dotson, Enoch City manager, noted that in Utah Code §9-7-509, counties and cities may cooperate in interlocal agreements to provide library services. Rob expressed concern that in Utah Code §9-7-504, it states that tax money received for county library systems must only be spent on county libraries, thereby excluding municipalities from receiving remittances from the Iron County Library Fund. Paul Bittmenn, Cedar City Attorney, stated that there is a need for a written agreement. Paul expressed that by virtue of interlocal agreements, taxes can be levied and excess funds could be dispersed. Paul noted that the current arrangement has been in place for about 105 years.

There was a discussion regarding petitioning the legislature to modify Utah Code §9-7-504. Dale Brinkerhoff suggested that in the meantime, the parties involved draft an interlocal agreement to formalize and clarify the arrangements in place. Dale noted that the Iron County Commission needed to decide how to distribute the excess library fund balance, also determine what amount of funds need to be dedicated to the ongoing operation of the Bookmobile. Further, Dale expressed that he felt the Bookmobile should be funded from the taxes collected from the unincorporated areas of Iron County and from Enoch City.

David Miller asked Michael Edwards what concerns he might have moving forward with an interlocal agreement. Michael expressed similar concerns to Rob Dotson, in that Iron County levies a countywide library tax but subsequently disperses part of it to cities that have their own library system, potentially putting Iron County in conflict with Utah Code §9-7-504. Michael explained that he would not oppose a solution that did not conflict with Utah Code §9-7-504. Rob Dotson noted that there are counties in the state of Utah where remittances to city libraries are standard practice.

David Miller made a motion to petition a bill file with the legislature to clarify the verbiage in Utah Code §9-7-504 that is troublesome; also, to draft an interlocal agreement moving forward that addresses remittances to the cities; to postpone the decision to distribute excess monies in the Iron County library fund until such interlocal agreement or agreements are in place; and finally, to approve funding for the Bookmobile service in the amount of $94,563 which reflects taxes levied against unincorporated areas and against Enoch City. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PERSONNEL MATTERS

Leslie Bishop, Human Resources Director, requested that Kaitlin Sorenson be moved from Part Time Clerk to Full Time Clerk in the Justice Court. Leslie noted that Kaitlin has already competed for that position, her name was already on the roster, and she is the next person on the list which satisfies the requirements for career service management. Leslie also noted that this is a backfill position. Alma Adams made a motion to approve the change from Part Time Clerk to Full Time Clerk for Kaitlin Sorenson. Second by David Miller. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Leslie Bishop presented the name of Jenna Crosier as a backfill hire to be a Kitchen Helper in the Council on Aging. David Miller made a motion to approve the backfill hire of a vacant position to hire Jenna Crosier as a Kitchen Helper for the Council on Aging. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

CONSIDERATION OF DISPOSITION OF MINERAL RIGHTS UNDER A.P.N. E-142, LOCATED IN SEC. 30, T35S, R12W, SLM

Reed Erickson, Planner and Special Services Coordinator for Iron County, explained that the mineral rights in question are under A.P.N. E-142, located in Section 30, Township 35 South, Range 12 West. The property is owned by Franklin W. Nichols and Celestia Nichols and is part of a photovoltaic solar project being installed by SunEdison. Reed explained that Iron County obtained the property in 1931 on a tax lien. In 1987, Iron County conveyed the property to the Nichols in trade for the land the Fiddlers Canyon building is on. At that time, Iron County retained the mineral rights. Reed explained that after visiting with several long-time employees of Iron County, none of those seasoned employees felt like Iron County retaining mineral rights under a parcel they convey was a common practice. Reed explained that Iron County customarily conveys the property as it received it, with no retention of minerals. Further, he explained that SunEdison's attorneys had prepared an agreement in which Iron County would

consent to subordinate the mineral rights it has for 20 years to a depth of 500 feet. David Miller stated that because the property is owned by someone else, and that even if Iron County were desirous to develop the retained mineral rights it would have no right to be on said property. Therefore, David Miller made a motion to approve the agreement to subordinate the mineral rights for a period of 20 years to a depth of 500 feet. Second by Alma Adams. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

PRAIRIE DOG MATTERS

David Miller gave a report on the progress of the Utah Prairie Dog (UPD) Management Plan (the Plan). David explained that the Plan was progressing very well, with fewer impediments to private property development, as well as protecting and bolstering the UPD numbers on public lands. He noted that translocation of dogs would now be easier to accomplish on agricultural lands, thus saving the dogs from certain death, and helping to bolster the number of dogs on dedicated reserves on public lands. David also clarified that there would be a compensation element for agriculture that would help recoup the cost to equipment and crops. In non-crop, agricultural settings, farmers would be able to request translocation of dogs to prevent spread on private property.

David Miller explained that part of the UPD Plan is to bolster and verify the numbers of dogs on public lands with the goal to have 2000 dogs on reserves on public lands. David noted that were that level of dogs achieved, the restrictions could be lifted completely, allowing for dogs to be removed from private property without going through any process. He explained that the UPD Plan changes the long standing paradigm wherein the UPD is hated and is a hindrance, to one where the UPD populations are supported in order to lift the restrictions on dealing with them.

ADJOURNMENT

David Miller made a motion to adjourn. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Dale Brinkerhoff, Aye; David Miller, Aye.

Signed: Dale M. Brinkerhoff, Chairman

Attest: Jonathan T. Whittaker, County Clerk

COUNTY OF IRON
COUNTY CLERK
STATE OF UTAH