

IRON COUNTY COMMISSION MEETING
July 26, 2016

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 26, 2016 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Alma L. Adams	Commission Chair
Dale M. Brinkerhoff	Commissioner
Casey O. Anderson	Commissioner
G. Michael Edwards	Deputy County Attorney
Jonathan T. Whittaker	County Clerk

Also present:

H. Eugene Adams	County Auditor
Nicole B. Rosenberg	County Treasurer
Deborah Johnson	County Assessor

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Gene Adams.

INVOCATION

An invocation was offered by Jon Whittaker.

APPROVAL OF MINUTES

Dale Brinkerhoff made a motion to approve the June 13, 2016 Iron County Commission Minutes. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

Casey Anderson made a motion to approve the July 11, 2016 Iron County Commission Minutes. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

DEPARTMENT REPORTS

Gene Adams, Iron County Auditor, reported that the budget was at 38%. Gene noted the State Clerk/Auditor Conference, would be held July 27-29, 2016, and would be hosted by Iron County. Gene reported that abatement applications had been coming in, and that accounts payable were continuing as normal. Dale Brinkerhoff requested Gene schedule a meeting when a 6 month overall budget review could be held.

Gene reported that the independent audit was still under review and that he was hoping to have the report returned within the next week. Dale Brinkerhoff requested the report be put on the next Iron County Commission Meeting Agenda.

Cindy Bulloch, Iron County Assessor, reported that she had been released to return to work for four hours per day after an injury. Cindy reported that the Assessor's Office continued to stay within budget. Cindy stated that she was interested in taking a non load bearing wall out in the office. She noted that she had gotten two bids and the work would be able to be done over a weekend and not interfere with business.

Cindy Bulloch reported that she had sent over 2000 letters to all qualified individuals for the Certified Commercial Appraiser position left vacant by the departure of Tammy Melling. She noted that only five individuals applied because the salary was too low. She explained that only 2 of the applicants were somewhat qualified, but they also wanted to continue to do outside appraisals after hours and weekends. Cindy stated she was concerned that the outside work would conflict with the job.

Cindy reported that valuation notices had been sent out and the office work load would begin to increase. She noted that Board of Equalization (BOE) applications would begin to be submitted. Cindy explained that applications would have to be filed through the Auditor's Office and that appointments would be made and begin the following week. She reported that the hearing officers would be Dan Johnson and Jeff Morley. Cindy noted that a higher percent of personal property billings were becoming delinquent than in years past.

Nicole Rosenberg, Iron County Treasurer, reported that collections were at \$3.2 million since January 1, 2016, and that outstanding collections were lower. Nicole stated that the outside Auditor continued to question the ambulance collections. She reported that Zion's Bank was collecting those outstanding ambulance bills and they were down to about \$25,000 and that some of the payment plans were made for a period of up to 3 years. She suggested that the Iron County Commission might consider a discount for those that would be paid in full, and that payments were being collected from around 32 patients. Alma requested that Nicole remind the Iron County Commissioner's in six months and they may make a decision on discounts at that time. Nicole reported that Wells Fargo Bank would be coming to the Iron County Courthouse on August 2, 2016 to address the issue of Identity Fraud to anyone who would like to attend. She explained that she did not allow for Automated Clearing House (ACH) transactions on the Iron County accounts, and expressed appreciation for the way Iron County handles fraud protection.

Nicole Rosenberg reported that she had spoken with Alma Adams about investing excess funds held by Iron County and in order to proceed there would need to be an Investment Policy in place that would be in compliance with Utah's Money Management plan. Alma Adams requested that Nicole move forward with the policy and to include it on the next Iron County Commission Meeting Agenda.

Nicole noted that Danny Stewart had explained to her that Red Hills Solar was anxious to get their property tax rebate and were willing to prepay their property taxes in order to receive it faster. Dale Brinkerhoff stated that the contract needed to be followed.

Debbie Johnson, Iron County Recorder, reported that Bart Bishop and Carri Jeffries had taken a Cadastral Mapping course instigated by the Records Association which was offered through webinars. Debbie noted that both had enjoyed and finished the course. She expressed her appreciation to Jared Wilson for facilitating the technology for the remotely taught course.

Debbie reported that total document recordings were up, transfer documents were up, notices of default were slightly up, and trustee's deeds were lower. She noted that cross training was ongoing in the Recorder's Office.

Casey Anderson, Iron County Commissioner, reported that he had made a request to the IT Department about including more road information, and a map designating Iron County roads on the Iron County web site. Casey stated that the IT Department was moving forward with the request.

PUBLIC COMMENTS

Danny Stewart, Cedar City/Iron County Economic Development Director, reported that he was representing Cedar City events for Ryan Dangerfield. Danny noted that the finish line of the 1st stage of the Tour of Utah would be in Cedar City on August 1, 2016. He explained that the teams would be arriving during the coming week to become acclimatized to the elevation and dry temperatures of the area. Danny noted that on Saturday, July 30, 2016 the athlete introduction would be on the Green Show Stage at the new Beverly Taylor Sorensen Center for the Arts. He stated that on Monday, August 1, 2016 the finish line would be located on Center Street in front of the Southern Utah Museum of Art (SUMA) building and invited everyone to attend and support the teams.

Dale Brinkerhoff invited Mike Gibbs, Iron County Jail Maintenance, and Brad Spencer, Iron County Corrections Lieutenant forward. Dale recognized them for projects related to the jail. He reported that incandescent lights had been replaced with Light Emitting Diodes (LED's) and had a rebate check to be presented to Gene Adams. He reported that there was an in-house boiler replacement that saved Iron County around \$60,000.

Brad Greene, a citizen of Iron County, reported that his comments were concerning the resolution to be discussed later in the meeting regarding whether Iron County would place an opinion question on the ballot regarding an additional 0.25% sales tax for transportation, or Local Option Sales Tax. Mr. Greene expressed that freedom was the goal in self-government. Because of the republican representative form of government, it protects the rights of minority and property rights are paramount to the will of the people. He expressed that taxing people was theft. Mr. Greene noted that he was infuriated that his elected representatives seemed to be willing to dismiss their responsibility to protect him from the mob who want to take his money. He expressed that he did not wish for the Local Option Sales Tax to be placed on the ballot because there were a great number of individuals that work for the government in Iron County and passage of such an opinion question would be high. Mr. Greene pleaded with the commissioners to not let the Local Option Sales Tax be put to a vote, thus stripping him of his rights.

William Pressgrove, a citizen of Iron County, reported that his comments were also directed to the Local Option Sales Tax. Mr. Pressgrove stated that just because something was legal doesn't mean that it was right. He noted that there should be more discussion on how the opinion question would be presented to the public. Mr. Pressgrove expressed that just because something is voted on, that does not mean it represents the majority because not everyone votes. William requested that the Iron County Commissioners consider a sales tax in lieu of property tax.

PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO 2016 BUDGET

Alma Adams explained that mid-year adjustments to the budget were routinely made due to changes that come up during the year. Alma Adams, Iron County Commission Chair declared the public hearing open.

Gene Adams, Iron County Auditor, reported there was a total of \$489,709 adjustments to the budget. In the General Fund, there were a total of \$258,411 in adjustments. Of note, there was additional property tax revenue (\$89,566) and grant

revenue (\$46,922). There were additional expenses for attorney's fees (\$12,200), a new Justice Court position (\$10,250), public defenders (\$7,900), ECivis grant software (\$8,805), a vehicle in the Clerk budget (\$20,211), and road construction in Parowan Valley, near the Red Hills Renewables solar plant (\$165,000), which was paid by the solar company at the end of 2015.

Gene Adams reported that under the Municipal Services Fund, there was a total of \$85,600 adjustments to the budget. Gene explained that there was an additional \$24,186 in property tax revenue with a fund balance appropriation of \$61,414. There were additional expenses for a patrol deputy in the west desert (\$31,600) and 2 patrol vehicles (\$54,000).

Gene Adams reported that under the Council on Aging Fund, there was a total of \$11,134 which was paid for by fund balance appropriation. The additional expense was for salary and wages for a part time employee.

Gene Adams reported that under the Transient Room Tax (TRT) Fund, there was a fund balance appropriation of \$9,850, with extra funds from a Round 15 Co-op Grant in the amount of \$169,150. \$20,000 had been budgeted to the Western Freedom Festival, which the commissioners decided not to support in 2016. There was a small adjustment for a kiosk grant in the Tourism, Recreation, Culture and Convention Facilities (TRCC) Fund of \$16,564, with a match of \$8,282. In the Landfill Fund, there was an adjustment of \$1,500 for additional travel expense which was offset by savings in diesel fuel.

Pat Kehrer, a resident of Parowan, expressed that there was a need for amplification of the officers so that they could be heard. Mrs. Kehrer also expressed that for something like budget review with many figures, there should be some projection for citizens to see.

Alma Adams, Iron County Commission Chairman, closed the public hearing. Dale Brinkerhoff made a motion to approve the 2016 budget adjustments as explained. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

RESOLUTION 2016-6 PROVIDING FOR AN OPINION QUESTION TO BE PLACED ON THE BALLOT DURING THE NOVEMBER 8, 2016 ELECTION FOR THE PURPOSE OF THE IMPOSITION OF AN ADDITIONAL 0.25% SALES TAX TO FUND TRANSPORTATION IMPROVEMENTS

Alma Adams explained that there was a 5 cent per gallon increase to the gasoline, effective tax January 1, 2016. Alma reported that the legislature had been debating on how to pay for road improvements for several sessions. He explained that as vehicles became more efficient, it resulted in more road miles and less fuel purchased, which lowered the amount of tax going to the road improvements. He stated that in 2015 the Legislature passed the 5 cent increase and the 0.25% sales tax was presented as a local option to the counties, which would go directly to transportation improvements. Alma noted that Iron County elected not to put the tax on the ballot in 2015 as a portion would have gone toward public transit, and Cedar Area Transportation System (CATS) was the only transit area in Iron County. He explained that HB183 was introduced to the Utah Legislature in 2016 which gave discretion to counties to proportion how much of the new tax would go to transit. Alma reported that the commissioners had the prerogative whether or not to place an opinion question regarding the tax on the ballot. He reported that Cedar City, Enoch, and Parowan had passed resolutions requesting that the Local Option Sales Tax be placed on the ballot. Kanarraville was in favor of the ballot question but had not passed a resolution. Brian Head failed to pass a resolution in favor of the ballot question and Paragonah was against it. Alma reported that ten out of seventeen Utah Counties had passed the sales tax increase in 2015.

Jon Whittaker explained that if passed, the Local Option Sales Tax would increase the sales tax for non-food items an additional 0.25%. 0.05% would be distributed according to population. 0.05% would be distributed according to the point where a sale

takes place. 0.10% would be at the discretion of the Iron County Commission as to how much would go to transit with Cedar City. Jon explained that the discretionary portion would only apply to how much of the new revenue would go to the CATS system, and that would only be within Cedar City. He noted that the minimum amount allowable under code would be 0.025%. The remaining 0.075% would be distributed according to population and point of sale. The final 0.05% of the Local Option Sales tax would be distributed to Iron County.

Alma Adams explained that it was difficult for the commissioners to have the onus to decide regarding the Local Option Sales Tax. He noted that the issue had been brought forth by the elected council members from 4 separate cities in Iron County. Dale Brinkerhoff expressed concern that the new tax would be perceived as coming from Iron County. Dale noted that the cities were free to impose additional taxes for transportation funding if they chose. Casey Anderson expressed that it might be advantageous to wait to see whether the Utah Legislature would give a better deal. Casey also noted that there were too many unanswered questions regarding this issue. He also explained that the issue was not dead; it could still be brought forward in the future. Alma Adams explained that if the Local Option Sales Tax were to be placed on the ballot, no taxpayer money would be provided to promote the issue. Dale Brinkerhoff noted that information packets would be provided if it were to be on the ballot. Dale explained that in fact there was a budget shortfall in roads, with increasing costs. He expressed that it was more appropriate to tax the consumption for transportation or fuels. In particular, Dale expressed concern over the lower fuel tax for Compressed Natural Gas (CNG). Casey Anderson noted that additional fuel tax increases would be coming in the future due to HB 362. Alma Adams expressed that a consumption tax seemed more fair.

Casey Anderson made a motion to table Resolution 2016-6, Providing for an Opinion Question Regarding Whether to Impose an Additional 0.25% Sales Tax on the November 8, 2016 Ballot, to a date undetermined. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

TDS BAJA BROADBAND LLC REQUESTS CONTINUATION OF ITS CABLE TELEVISION FRANCHISE AGREEMENT FOR ANOTHER TEN YEAR TERM

Dale Brinkerhoff made a motion to approve TDS BAJA Broadband LLC requests continuation of its cable television franchise agreement for another ten year term, with the understanding that it was non-exclusive. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

DEMONSTRATION OF STORY ROAD UTAH MOBILE APP WITH GEO-FENCING CAPABILITIES

Clive Romney, Executive Director of the Utah Pioneer Heritage Arts/Story Road Utah, a 501(c)(3) non-profit organization, reported that the Story Road Utah mobile app included tourism, public safety, recreation, education, history, business, heritage organizations, arts, municipalities and anyone who had a story to tell, and the goal was to help tell those stories. Bob Morphis reported that once a user downloaded a map or story, the Global Positioning System (GPS) would continue to function even when away from cell service. Bob explained that the app could bring in more visitors to the southern Utah area through the app's functionality and interesting content. He noted that local businesses could develop a story for their business which could draw in tourists interested to learn more. Bob explained that the app could turn county heritage into tourism, and tourism into economic development. He noted that traditional advertising was moving toward mobile advertising.

APPROVAL OF DEPARTMENTAL VEHICLE TRANSFERS

Dale Brinkerhoff made a motion to approve the transfer of the following departmental vehicles: 2004 Dodge Pickup from the Sheriff Department to the

Information Technology (IT) Department, and a 2002 Ford Pickup from IT to Search & Rescue. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

PERSONNEL

Dale Brinkerhoff made a motion to approve the new hire of Holly White as a Full Time Court Clerk in the Justice Court, effective August 1, 2016; and to approve the new hire of Bethany Allen as Part Time Court Clerk in the Justice Court, effective July 26, 2016. Both of these new hires were backfills of vacant positions. Furthermore, Dale Brinkerhoff made a motion to move Julie Sanders to Senior Clerk in the Justice Court, effective July 11, 2016, with a corresponding pay increase.

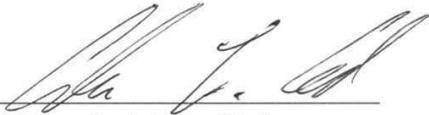
Also as part of his motion, Dale Brinkerhoff moved to approve the new hire Brandon LaCagnina, as a Full Time Deputy in the Sheriff's Department, effective August 14, 2016, being a backfill of a vacant position, and finally, the re-hire of Matthew Fox as a Part Time Bailiff, effective July 11, 2016, a backfill of a vacant position. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

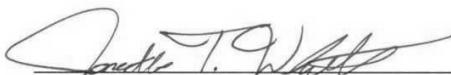
NON-DELEGATED ITEMS

No Non-Delegated Items were discussed.

ADJOURNMENT

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


Signed: Alma L. Adams, Chairman


Attest: Jonathan T. Whittaker, County Clerk

