

**IRON COUNTY COMMISSION MEETING**  
**August 22, 2016**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. August 22, 2016 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

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

Also present:

H. Eugene Adams	County Auditor
Cindy Bulloch	County Assessor
Deborah B. Johnson	County Recorder
Nicole Rosenberg	County Treasurer
Betsy Cummings	Human Resources Assistant

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**PLEDGE OF ALLEGIANCE**

Those assembled were led in the pledge of allegiance by John Higley.

## INVOCATION

An invocation was offered by Alma Adams.

## DEPARTMENTAL REPORTS

**Betsy Cummings, Iron County Human Resource (HR) Assistant**, reported that the HR budget was on track and that there were no concerns. Betsy reported an increase in Family & Medical Leave Act (FMLA) requests. She explained that the HR office had returned the accident insurance program back to the Iron County Clerk's office. Betsy noted that she had recently completed the Society for Human Resource Management (SHRM) Essentials of HR course and was now certified. She reported that she had implemented the Utah Counties Indemnity Pool (UCIP) online training on sexual harassment for new employees. Betsy stated that health insurance claims were high and that Iron County may need to renegotiate with insurers for 2017. She noted that there may be an increase in premiums as a result of the increase in claims. Alma Adams suggested that the Iron County Insurance Committee have a review meeting and report back to the commissioners.

**Jon Whittaker, Iron County Clerk**, reported that the State Clerk/Auditor Conference was held in Iron County and was a success with a lot of positive feedback. Jon stated that he had received the election draft from the Lieutenant Governor's office and could begin to program the November 2016 ballot.

**John Higley, Iron County Emergency Management Director**, reported that he hosted the Management 340 Crisis Leadership, a decision making for elected officials course, which was offered by the Stated Division of Emergency Management, which was a success. John stated that with the help of the State Road Department they had rehabilitated a sandbagging site in Cedar City for flooding. He noted that during the last storm they had distributed over 200 sandbags, and with help from the Sheriff's Office Search and Rescue Team another 200 bags were filled, covered and ready for distribution. John reported that they had reestablished their Facebook page and sought to get control of the Twitter account and Instagram site. He reported that there were 431 volunteer hours donated thus far, equivalent to about \$9,476.50 in Federal Emergency Management Agency (FEMA) dollars. John noted that they were in the process of building a mobile amateur radio trailer, and that it was no cost to Iron County. He reported that his budget was at 70%, and he was over in postage, Everbridge, and CERT expenses. John noted that they still collect payments from the cities with help with the Everbridge software shared with dispatch.

**Stephanie Furnival, Iron County Children's Justice Court Director**, reported that the interviews and medical exam numbers were lower as is typical during summer months. Stephanie explained that the expansion of the exam room continued and they received the new heating and air conditioning unit. She reported that all of the expansion was completely funded by grants or donations, and the remodeling being done by volunteers, and she was hoping it would be completed by the end of September.

Stephanie reported that her budget runs July 1st through June 1st, and was funded through state appropriations and covers three counties; Iron, Beaver, and Kane County. She noted that the State Legislature preferred to have the Children's Justice Centers multi-funded to see that everyone was involved, and that funds come through Local, Federal, and private funds and grants.

**Casey Anderson, Iron County Commissioner**, reported that he attended the Mud Bog and encouraged everyone to attend the Iron County Fair and events.

**Alma Adams, Iron County Commissioner**, reported that he had attended the Miss Iron County Pageant and Haley Mineer, from Parowan, was crowned Miss Iron County, 1<sup>st</sup> Attendant was Marci Peterson, and 2<sup>nd</sup> Attendant was Bree Brunson both from Cedar City.

Alma reported that he attended the Inter-Generational Poverty meeting and Iron County had the dubious distinction of being in the top 10 in the inter-generation poverty.

Casey Anderson reported that 30% of children in Iron County were living in poverty and 80% of those were projected to remain in poverty. Casey expressed that there were many factors that needed to be addressed. Alma Adams noted that there was a \$15,000 state grant available to each county that were participating, and the application for that was being completed and mailed in.

Alma reported that he attended the Community Impact Board meeting held in Salt Lake City to request funding for renovations and repairs of the Iron County Courthouse. Commissioner Adams requested a \$794,000 bond and a \$794,000 grant, which were both awarded. Dale Brinkerhoff explained that most of the renovation was plumbing.

**APPROVAL OF MINUTES**

Dale Brinkerhoff made a motion to approve the minutes of the Iron County Commission Meetings held June 27, 2016, July 26, 2016, and August 8, 2016. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

**PUBLIC COMMENTS**

Wayne Hall, an Iron County citizen, stated that he was interested on what the criteria and priority was for paving, chip-sealing, or bringing dirt roads up to gravel level. Alma Adams reported that some of the criteria were standard complaint driven, accessing the need, new industrial users, and an increase in population. Wayne asked if there was any input, financial or investment, by commercial operations. Alma reported that when there was a new subdivision the developer was responsible to bring the road up to Iron County standards, but when 50% of the lots were finished then Iron County takes over the maintenance.

Casey Anderson suggested that Wayne go to the Iron County web site, [www.ironcounty.net](http://www.ironcounty.net), and click the GIS Server, and that there was now a map that showed every road that Iron County maintains, and what type and how long the road was.

Bruce Washburn, an Iron County citizen, noted that there were two organizations on the agenda asking for tax payer dollars. Bruce stated that Iron County already contributes \$10,000 a year to the American Lands Council, and over \$10,000 to a K-street lobbyist and that the Iron County tax payers had not received any returns from those contributions, nor had it been reevaluated by the commission. He reported that he had read several news articles concerning the Rural Utah Alliance and was not yet clear on what it represented. Bruce stated that the Rural Utah Alliance was asking for \$2500 now and \$5000 annually. He stated that Iron County received \$50,000 from the Legislature and \$15,000 from the Five County Government for the Rural Management Plan (RMP) funding. Bruce noted that in a previous Iron Commission Meeting, the Iron County Sheriff asked the commission for \$5,000 per year for five years to allow a Sergeant to assume leadership with the regional drug task force and it was not granted. He stated that given the choice, the tax payers would agree to have the funding go to the Sheriff than to continue funding organizations that provide little or nothing to tax payers.

Casey Anderson clarified that the Sergeant was serving in the position mentioned.

Alma Adams explained that the \$50,000 received from the Legislature was mandated to be spent on the Iron County Resource Management Plan and that Iron County would not be spending more than that.

**REQUEST FOR IRON COUNTY TO JOIN RURAL UTAH ALLIANCE**

Peter Stirba, Rural Utah Alliance (RUA), explained that RUA was a new Utah non-profit organization. Peter reported that they formed the company to see if the Legislature would appropriate seed money to address land use and public land issues. He noted that it was appropriated and that there was a direct mandate on how the state funds could be used. Peter stated that any money raised would be used to assist rural Utah in areas that were not being addressed by the state. He noted that RUA was just getting

started and that there was going to be an organizational meeting on September 16, 2016 in St. George to adopt bylaws, policies, plan of action. Peter reported that each county would have one seat on the board along with legislators. He noted that RUA intended to be active for many years. Peter reported that the dues would be \$5,000 per year, but only \$2,500 at this time as it was just beginning, and that RUA was a county driven organization. Alma Adams asked if RUA would be eligible to receive Equal Access to Justice Act (EAJA) funds. Peter answered that it would.

Alma Adams thanked Peter for the great presentation and explained that Iron County would need more thought on the issue before making a decision.

#### **DISCUSSION REGARDING PROPERTY VALUES THROUGHOUT THE NEWCASTLE AND BERYL AREA**

Stacy Gardner, a resident of Newcastle, reported that the property tax rate in the Newcastle/Beryl area had been about the same for several years, and she now believed that the Newcastle/Beryl area was being targeted for a substantial increase in the fair market value in an attempt to collect more tax revenue. Stacy noted that she was currently filing an appeal with the Board of Equalization (BOE). She explained that by addressing the issue with the commissioners she hoped their influence would make a difference before the final tax bills were sent. Stacy noted that she had lived in her home for over 30 years, and in the course of the past 9 years, property tax had increased 91%. She explained that her property taxes had increased 30% in 2016 alone. Stacy explained that her home was over 31 years old and in dire need of repairs. She expressed that the home was not even close to the assessed value, with other older homes in the area being in a similar situation. Stacy noted that it was her understanding that the assessment was made based on the sale of three homes in the area, and that according to the Iron County Realtors center, only one home was sold in Newcastle in 2015, which was a double wide trailer. She wondered how an accurate assessment could be made on that one sale. Stacy reported that water shares, called the Newcastle Garden Water Company, played an important role in the home value in Newcastle as well, and that the majority of home owners did not own any shares. She stated that town water shares and garden water shares were different in that all residents own town shares and only a handful owned garden water shares. Stacy reported that one home was sold specifically for the garden shares, and would not have sold without at least one share of the garden water. She noted that the home had not been occupied before or after the sale. Stacy reported that another problem of selling homes in Beryl was the odors from the nearby Holt Dairy, that it often becomes unbearable, and had deterred prospective buyers from the area. She expressed that the Newcastle and Beryl areas were specifically targeted to bring in more revenue, and that she does not mind paying her share of the taxes, but would protest when the taxes were inappropriate and become a burden during economic uncertainty.

Alma Adams stated that the BOE was the proper venue to express her problems, and that the commission did not have the power to make changes to property values.

Cindy Bulloch, Iron County Assessor, expressed offense that it was assumed that Iron County would target specific areas for revenue. She explained that statutorily, the Assessor's Office was required to be within 10 percent of market value, and if that criteria was not met the state would intervene. Cindy reported that she was required, every year, to do statistical updates to value, and that every five years a physical inspection of each parcel was required. She noted that in the fall of 2015, a physical inspection was done in Newcastle and that there were changes noted on her home, which was the reason for the increase. Cindy stated that the reason for BOE was to be able to have a discussion and look at all aspects of decisions, and that she looked forward to discussing the matter with Mrs. Gardner at that time.

**CLOSED SESSION PER UCA § 52-4-205(c), STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION**

Alma Adams, Iron County Commission Chair, declared the meeting closed per UCA § 52-4-205(c), for a strategy session to discuss pending or reasonably imminent litigation.

**COOPERATIVE AGREEMENT PROVIDING FOR CONSOLIDATED DISPATCH SERVICE FOR JULY 1, 2016 TO JUNE 30, 2017**

Alma Adams requested that the Cooperative Agreement for Consolidated Dispatch Service be moved to the next commission meeting.

**APPROVAL OF CONTRACT AND BUDGET FOR THE VISITOR CENTER COMPLEX REMODEL LOCATED AT 583 N MAIN ST, CEDAR CITY**

Chad Nay, Iron County Building and Zoning Administrator, reported that all the tenants, except for the USU Extension Service, had moved out of the Visitor Center Complex, and that the remodel would be standard tenant improvements, including carpet, paint, removing one wall, extending one wall, and to removing some counters. Chad noted that this was not budgeted for as the money allotted went to the Safety building because of rising construction costs.

Lester Ross, Building and Lead Maintenance, reported that there were three bids received and they were from Urieco Construction for \$87,500, Church Construction for \$65,670, and Bishop Construction for \$94,454. Lester recommended that Church Construction receive the job as the low bidder. He stated that he double checked with Church Construction to make sure they didn't miss anything because the bid was much lower, and Lester reported that Church had an advantage because he had painted the building before and knew what would need to be done. Lester reported that the carpet alone would cost around \$35,000. He stated that all flooring would be carpet except the bathrooms, which would be painted only. The conference room would be a rubberized surface. Lester reported that they went with a contractor because construction was high and it took a lot to get them to bid for a smaller job. Lester explained that a new roof for the Visitor Center Complex would be in the 2017 budget.

Dale Brinkerhoff made a motion to approve the bid from Church Construction in the amount of \$65,670 plus a 5% contingent fee, for a total bid of \$69,000 for the remodel of the Visitor Center Complex located at 583 N. Main Street in Cedar City. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

**DISCUSSION AND POSSIBLE AWARD OF COUNTY RESOURCE MANAGEMENT PLAN CONTRACT WITH MIKE HANSEN OF RURAL COMMUNITY CONSULTANTS**

Mike Hansen, of Rural Community Consultants, explained that before he worked for the private sector, he worked for the Government on how to "help counties speak Federal," which qualified him work for counties with their resource management plans (RMP's). Mike stated that when he went to the private sector, he spoke to the sponsors of HB323, which passed in 2015, to ask them to amend the bill to simplify requirements placed on the counties regarding their RMP's. He noted that HB 219 passed in 2016, which amended HB323, and it provided more flexibility to the counties. Mike reported that the counties would need to have a complete general plan, with 28 RMP issues covered, turned into the Planning Committee by May of 2017. He stated that his company had been contacted by 11 counties and that Iron County was tenth on the list. Mike reported that while working with some of the other counties they were able to catalogue all the data, and that they would be able to use that data to help with Iron County's RMP.

Mike Hansen explained that Iron County needed a written plan that would outlast the state initiative. He stated that the plan needed to be more than just statements and

move toward custom and culture, which would be the biggest help to the federal government. Mike noted that he had reviewed Iron County's current Resource Management Plan, and that some areas needed to be updated and simplified.

Mike Hansen explained that his company would post a text survey and the public could offer comments, and would seek strong public engagement for the RMP. He noted that there would be online maps available for the public to access. Dale Brinkerhoff asked how much duplication was found among counties. Mike stated that it depended on the topic. He explained that Iron County had progressed further than many counties, but still needed to turn in something for each of the 28 issues. Mike said that the cost would be \$50,000 and included some economy of scale. Alma Adams explained that Iron County had already spent \$10,000 on the RMP and would consider an offer for \$40,000. Mike Hansen replied that he could work within that amount and would prepare a contract to that effect.

**RESOLUTION 2016-7, APPROVING THE IRON COUNTY EMERGENCY OPERATIONS PLAN (EOP) AND CORRESPONDING EMERGENCY SUPPORT FUNCTION DOCUMENTS**

John Higley, Iron County Emergency Management Coordinator, reported that the EOP covered 15 functions, and was a culmination of the efforts of the two prior emergency managers, state and local input, nonprofit organizations input, and religious groups and all were supportive of the plan. John noted that the signatures from all Department Heads had been collected and was now ready for the commissioners' approval and signatures. John proposed Iron County adopt Resolution 2016-7 as the Iron County EOP.

Casey Anderson made a motion to approve Resolution 2016-7, the Iron County Emergency Operations Plan (EOP) and corresponding emergency support function documents. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

**IRON COUNTY RESOLUTION 2016-7**

**A RESOLUTION OF THE IRON COUNTY COMMISSION ADOPTING AN EMERGENCY OPERATIONS PLAN.**

**Whereas**, Iron County pursues a high level of readiness to respond to natural and man-made disasters; and

**Whereas**, the Emergency Operations Plan outlines the basic organization for Emergency Management and its Concept of Operations for coordinated responses; and

**Whereas**, the Emergency Operations Plan assigns actions to be taken in various situations by Iron County government and its governmental departments and partners. Departments and agencies that are assigned responsibilities in this plan are expected to develop supporting plans and procedures that will allow them to carry out their responsibilities when required; and

**Whereas**, the Emergency Operations Plan is prepared in accordance with Federal and Utah statutes,

**Now Therefore**, it is hereby resolved by the Iron County Commission, that:

The Iron County Emergency Operations Plan and its annexes (Emergency Support Functions) be and is, adopted and enforced.

DATED this 26<sup>th</sup> day of July, 2016

BOARD OF COUNTY COMMISSIONERS  
IRON COUNTY, UTAH

By:   
Alma L. Adams

ATTEST:

  
Jonathan T. Whittaker  
Iron County Clerk



Voting:

Alma L. Adams *Aye*  
Casey O. Anderson *Aye*  
Dale M. Brinkerhoff *Aye*

**PERSONNEL**

Betsy Cummings, Human Resource (HR) Assistant, presented new hire Joel Martin as a Part-Time Information Technology (IT) Technician, effective August 9, 2016 for approval. This would be a backfill of a vacant position. In the Road Department, Betsy presented new hire Preston Nelson as Roads Supervisor, effective date August 24, 2016 for approval. This would be a backfill of a vacant position. In the Assessor's Office, Betsy presented new hire Michael Porter as a Full-Time Certified Appraiser, effective September 1, 2016, for approval. This would be a backfill of a vacant position.

Dale Brinkerhoff made a motion to approve the new hires of Joel Martin as Part Time IT Technician, Preston Nelson as Roads Supervisor and Michael Porter as Full-Time Certified Appraiser as explained. All as backfills of vacant positions. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

In the Corrections Department, Betsy presented new hire Derek Otero and James Meccia as Full Time Corrections Deputy's, effective date August 28, 2016, for approval. This would be a backfill of a vacant position. In the Sheriff Department, Betsy presented the transfer of Brenda Pires from Corrections Deputy to Patrol Deputy, effective date August 28, 2016 for approval. This would be a backfill of a vacant position.

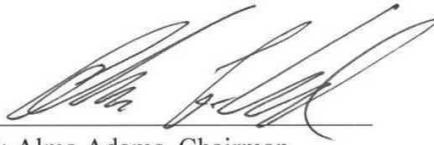
Dale Brinkerhoff made a motion to approve the new hires of Derek Otero and James Meccia as Full-Time Corrections Deputies, and the transfer of Brenda Pires from Corrections Deputy to Patrol Deputy, all as backfills of vacant positions, as explained. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

**NON-DELEGATED ITEMS**

No Non-Delegated Items were discussed.

**ADJOURNMENT**

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



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk

