

IRON COUNTY COMMISSION MEETING
September 12, 2016

Minutes of the Iron County Commission meeting convened at 9:00 a.m.
September 12, 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
Deborah B. Johnson	County Recorder
Mark Gower	County Sheriff
Nicole Rosenberg	County Treasurer

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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 Jonathan Whittaker.

DEPARTMENTAL REPORTS

Maria Twitchell, Executive Director of the Cedar City/Brian Head Tourism Bureau, reported that as of August, tourism was at 52% of budget. Maria noted that TRT collections were up 19%, restaurant tax was up 4%, and occupancies were up 6.6%. She explained that she had applied for Co-op money from the Utah Office of Tourism in May and was awarded \$143,000 to assist in a 2017 winter advertising campaign. Maria reported that Iron County was participating in the Utah Office of Tourism "Rourism" (which stands for "Rural Tourism") program throughout 2016, which allowed access to Roger Brooks, a destination development expert. She noted that Mr. Brooks had concluded a community assessment for Cedar City and would be conducting a brand development program with Parowan and Brian Head. Maria reported that the Stage 1 of the bicycle race, Tour of Utah, was held in Cedar City on August 1. The event brought 450 room nights which resulted in \$70,000 in room sales. Cedar City received the most media coverage of all the stage cities with 466 mentions. She noted that the new Visitor Guides were printed and were being distributed throughout the state, with 50,000 copies printed.

Maria Twitchell then reported that as of August Outdoor Recreation had spent 45% of budget. She reported that the water system repairs at Woods Ranch had been completed, with a new service line from the spring. Maria explained that the water would be shut down for the season on September 30th. She noted that the valves had been updated and replaced at Three Peaks. Maria explained stated that work continued at the shooting range and they were preparing the site for the installation of a new restroom. She reported that there continued to be vandalism at the parks, with an extreme case of illegal dumping at the shooting range in July. Maria noted that the culprits were identified and cited.

Brad Spencer, Iron County Corrections Captain, reported that as of August Corrections was at 45% of their budget. Brad stated that they had started a new process for screening new hires that included psychological and medical testing. He reported that there had been 472 bookings, and the average daily population in the jail was 135, with 21 female and 114 male inmates. Brad noted that the work crew had put in 1,341.50 hours. He added that there were 14 federal inmates and 9 state inmates. Brad reported that the new boiler arrived on August 12th and should be up and running in about three weeks. Dale Brinkerhoff expressed that he was very appreciative of all the work Mike Gibbs had done and that he was very valuable to Iron County. Casey Anderson also expressed his appreciation for Mike Gibbs.

Ryan Riddle, Iron County Fire Warden, reported that as of August they were at 37% of their budget. Ryan stated that the largest fire in Iron County thus far was the Aspen Fire on Bumblebee Mountain, which was 100% on Forest Service land. He stated that at one point they were looking at an evacuation order but luckily it was never ordered, and that there were no structural losses. Ryan noted that the cost of the fire was about \$3 million. There was a significant injury to a firefighter who was life flighted to Dixie Regional Medical Center, and was now back to work. He stated that he had received a State Fire Suppression Support Grant in the amount of \$19,920.00. Brad reported that there were four trainings that were attended: Fire Operations in the Wildland Urban Interface S-215, Basic Firefighter/UFRA Wildland Firefighter 1, Wildland Fire Refresher-RT-130/190, and Utah Wildland Engine Training. He reported

that they had participated in Fire Prevention and Education at the Iron County Building Show, Iron County schools, parades, church and scout programs. Brad reported that he was working with communities throughout Iron County on fuels reduction.

Dale Brinkerhoff, Iron County Commissioner, reported that he had done a taping for the County Seat television program that aired the past Saturday.

Casey Anderson, Iron County Commissioner, reported that he enjoyed a tour at the Iron County Jail and appreciates the hard work done there.

Alma Adams, Iron County Commission Chair, reported that Iron County hired a new Human Resource Director, Adrion Walker, and that he would be introduced later in the meeting.

PUBLIC COMMENTS

Ray S. Stokes, an Iron County citizen, noted that he had heard that the Iron County Commissioners had proposed an increase in property taxes in the Escalante Valley of 30-40% and asked if that was true.

Alma Adams stated that no tax increases were implemented. Alma explained that the Iron County Assessor's office had a five year rotation for physical inspections and reappraisals of property in Iron County. He noted that the Escalante Valley fell into that category this year. Dale Brinkerhoff stated that the commissioners had not proposed an increase in the Escalante Valley. Ray added that there were a lot of elderly citizens in the area that were on a fixed income with social security, and many with health problems. He stated that if the taxes were increased it would make things very difficult as social security had not been increased.

Bryan Dangerfield, Cedar City Events Coordinator, expressed his gratitude to Maria Twitchell for all the work she had done for Cedar City and Iron County. Bryan reported that the Cedar City Half Marathon, with 900 runners, had just concluded and was a success. He thanked the commissioners for their support of events held in Iron County. Bryan reported that Cedar City would once again be putting a bid in to be a host city for the Tour of Utah in 2017.

Wayne Hall, an Iron County citizen, expressed his thanks for the positive remarks that were shared so far in the meeting. Wayne noted that he was a representative for citizens that were too afraid to come forward in fear of retribution. He stated that there were some concerns about road building and the criteria for it. Wayne noted that one road in question, was 5th South and 4200 West in the Parowan Valley. He reported that he was asked by several anonymous citizens if Iron County resources were used to improve that road because was a private road. Alma Adams stated that it was against Iron County policy to do road work on private roads. Alma noted that he would investigate the matter.

William Pressgrove, an Iron County citizen, expressed concern that the Iron County Commissioners were also the board members of several other entities such as the Iron County Board of Equalization, the Iron County Community Development and Redevelopment Agency, the Municipal Building Authority of Iron County, etc. William relayed that the explanation offered to him was that those bodies were required to have officers that were elected officials. He noted that only the commissioners were on the ballot, and expressed that administrators should be elected to be officers of the other entities. William asked what the commissioners could do as officers of the other entities that they could not do as Iron County Commissioners. Dale Brinkerhoff explained that in regards to Community Impact Board (CIB) funds, if a request were made as the Iron County Commission, any debt incurred would be a general obligation bond. However, if Municipal Building Authority were to incur such debt then any county funds could be used to retire the debt service. Alma Adams explained that the state mandated that there be as many elected officials as possible on water conservancy boards in order to represent the citizens of counties. Casey Anderson explained that by state law only an elected official could make tax decisions, and which elected officials should serve on those

boards was designated by state law. William expressed that the positions of elected officials on those boards should be offered on the ballot to be elected.

2015 FINANCIAL AUDIT RESULTS

McKay Hall, of Hinton Burdick, reported that their independent Iron County Audit was reported as a “clean opinion.” McKay noted that there were only 2 significant deficiencies that were carried over from last year and found that Iron County had made progress addressing them. He added that in the Government Wide Financial Highlights the total net position (equity) was \$35.9 million as of December 31, 2015, and that Iron County was holding at a good position; total net position increased by \$2.9 million during 2015, including prior period adjustments totaling \$638,517 and a restatement adjustment totaling \$3,960,288, net position for governmental activities increased by \$2.5M in 2015; net position for business type activities increased by \$411,453, including a restatement adjustment of \$226,925; governmental capital assets decreased by \$940,497 net of depreciation of \$1,999,942, significant additions for 2015: excavator \$128,661, Grader \$211,790; business-type capital assets decreased by \$1,162,355 including depreciation of \$307,483 due to the ambulance disposal that took place in 2015; total governmental activity long-term debt was \$9,344,547 at December 31, 2015, governmental activity debt decreased by \$532,656 as a result of regularly scheduled debt service payments; total business-type long-term debt was \$274,838 at December 31, 2015, and business-type long-term debt decreased by \$65,000 as a result of a lease revenue bond being paid off.

Dale Brinkerhoff made a motion to approve the 2015 Financial Audit Results presented by the Iron County independent Auditor, Hintonburdick CPA’s & Advisors. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

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

Linda Petty, representing Sheriff Gower, reported that Iron County’s portion of the consolidated dispatch service increase was \$6,828.00. Linda explained that in 2015 Iron County’s portion was \$105,926 and \$112,754 in 2016, which was a 6.4% increase. She noted that last year there was a 2% legislative increase in salary and benefits and the Utah Department of Public Safety passed on human resource costs.

Dale Brinkerhoff made a motion to approve the cooperative agreement providing for consolidated dispatch service for July 1, 2016 to June 30, 2017. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

GRANT APPLICATION APPROVAL TO PURCHASE SEVEN YEAR MAINTENANCE EXTENSION FOR EXISTING TELEPHONE EQUIPMENT FOR CEDAR CITY COMMUNICATIONS

Linda Petty, Cedar City Communications Manager, explained that she went to the state 911 committee to request a seven year maintenance extension agreement for \$26,662.72 which would be paid by the 911 committee.

Dale Brinkerhoff made a motion to approve the grant application to purchase a seven year maintenance extension for existing telephone equipment for Cedar City Communications in the amount of \$26,662.72 through the state 911 committee. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

GRANT APPLICATION APPROVAL FOR DISPATCH EQUIPMENT

Linda Petty, Cedar City Communications Manager, explained that the current dispatch system had been in service for seven years and it was time to upgrade. Linda explained that the move to the Public Safety Building would be an ideal time to install a new system. Linda noted that because Iron County was a third class county, the 911

committee required a 10% match. She added that the down time transferring from the old system to the new system would be minimal. Alma Adams asked if there would be a need for an increase in personnel in the future and if the volume would justify it. Linda explained that in 2007 a staffing study was performed that showed a deficit of 3 operators. She noted that only one operator had been hired, leaving an ongoing deficit of two operators since 2007. Linda reported that the total grant application was for \$291,032.49 with the required 10% match being \$29,103.25, which would be paid out of the Iron County 911 fund.

Dale Brinkerhoff made a motion to approve the grant application to replace the four existing sentinel patriot fixed call taking consoles with six NG911 Vesta 4 fixed call taking consoles for Cedar City Communications in the amount of \$291,032.49 with the Iron County match of 10%. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

DISCUSSION REGARDING PLAYGROUND EQUIPMENT IN NEWCASTLE

Alma Adams explained that Jared Holt from the Escalante/Beryl area desired to donate used playground equipment from Enterprise City to the town of Newcastle. Alma added that the property on which the equipment would be placed belonged to the Church of Jesus Christ of Latter Day Saints and they were in the process of donating it to Iron County. He explained that Jared Holt had asked if the commissioners would be willing to allow them to install the equipment when it becomes county property. After some discussion about liability and maintenance, Casey Anderson made a motion to postpone the decision until the September 26, 2016 commission meeting, and when Jared Holt could attend. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

ELECTRICAL ENCROACHMENT TO SKI VIEW ESTATES, UNIT C, LOT 27

Steve Platt, Iron County Engineer, explained that Michael Last, the owner of said Lot 27 was in the process of building a cabin. Steve explained that the most sensible path to provide electrical service to said Lot 27 and the adjacent lots was through the roadway dedicated to Iron County. He noted that the roadway, while platted, was a rough and narrow roadway with a dirt surface. Steve explained that Rocky Mountain Power desired to place the electrical service within the roadway, requiring an encroachment permit.

Dale Brinkerhoff made a motion to approve an encroachment permit within the dedicated roadway as explained to provide electrical service to Ski View Estates, Unit C, Lot 27, with provisions to protect the county in the long term regarding maintenance to be included within said permit. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

CONVENE AS THE IRON COUNTY BOARD OF EQUALIZATION

Alma Adams, Iron County Commission Chair, declared the convening of the Iron County Board of Equalization.

DECISION REGARDING A 2015 LOW INCOME ABATEMENT AND HOMEOWNER'S TAX CREDIT APPLICATION

Joe Burns, representing Russell Gartrell, explained that Mr. Gartrell had paid his taxes on his residence since 1973. When he turned 65 he was told that he was no longer liable for the tax and recalled that his payment had once been returned. On January 2, 2016 he received a delinquent tax notice and would appreciate help with the problem. Alma Adams explained that in 2015 Russ had a terrible accident and was unable to file for the tax abatement and was now asking the commission to allow him to retroactively apply.

Dale Brinkerhoff made a motion to approve the 2015 abatement for Russell Gartrell in the amount of \$396.48 and acknowledged that he had applied for the 2016 abatement. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

CONVENE AS THE ICCD&RA

Alma Adams, Iron County Commission Chair, declared the convening of the Iron County Community Development and Renewal Agency (ICCD&RA).

DISCUSSION AND APPROVAL OF HANDLING SOLAR REIMBURSEMENT AGREEMENTS VIA THE ICCD&RA AND NOT CEDAR CITY

Danny Stewart, Iron County Economic Development Director, explained that the in the past, reimbursements had been handled by Cedar City Corporation and that the ICCD&RA could perform the function in the future.

Dale Brinkerhoff made a motion to approve the handling solar reimbursement agreements via the ICCD&RA and release Cedar City of the responsibility. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

REVIEW AND APPROVE COST REIMBURSEMENT AGREEMENTS WITH QUICHAPA SOLAR AND ONYX RENEWABLES

Danny Stewart reported that a separate entity had purchased the Quichapa portion of the Sunedison, Phase I solar project and was interested in moving forward to create a project area consisting of the three Quichapa sites. Danny explained that the developer would cover the legal fees through a cost reimbursement with the agency. He explained that there had been about \$3,000 of legal expenses already incurred and an estimated \$5,000 moving forward. The developer agreed to pay up to an additional \$7,500. He noted that the developer would give Iron County the \$8,000 up front and the legal fees would be paid out of that.

Danny Stewart explained that the second item was for a new solar project the developer Onyx was pursuing, with an estimated cost for legal fees of \$7,500. Onyx had committed to pay up to \$10,000 if necessary.

Dale Brinkerhoff made a motion to approve both reimbursement agreements with the stipulation that Iron County would assume no financial obligation. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

DECISION REGARDING STATUS OF SUNEDISON PARTICIPATION AGREEMENT FOR THE SUNEDISON, PHASE I SOLAR PROJECT

Danny Stewart explained that it needed to be determined what the ICCD&RA was willing to accommodate regarding the defunct SunEdison, Phase I solar project. Danny noted that in May of 2016, the ICCD&RA was given three options: 1) deny approval for any further Community Development Area (CDA) for solar within the defunct project; 2) approve a CDA for the three Quichapa projects with the developer while denying a CDA for the three Fiddlers projects because they were already built; or 3) approve CDA's for both sets of projects (Fiddlers and Quichapa), even though the Fiddlers projects were already built.

Dale Brinkerhoff made a motion to move forward with the Quichapa project as explained, and to move forward with a new participation agreement with the new developer. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

RECONVENE AS THE IRON COUNTY COMMISSION

Alma Adams, Iron County Commission Chair, declared the reconvening of the Iron County Commission.

REQUEST FOR FINANCIAL SUPPORT FOR TWO SENIOR CORPS PROGRAMS

Joanne Lyman, Five County Association of Governments (AOG) Senior Corps representative, explained that the Five County AOG sponsored the Senior Corps program. Joanne reported that all five counties were represented but it was difficult to get participation. She noted, however, that Iron County was well represented with 11 Senior Companions which provided service to about 5-10 clients, and had 13 Foster Grandparents that provided service in six elementary schools. Joanne reported that the program was developed for low income seniors who make less than \$2000 per month, and that they receive \$2.65 per hour for their services. She added that these Foster Grandparents are required to serve 15 hours/wk. Joanne noted that the service was free to the recipients and that it was forbidden to give the seniors gifts. She explained that all the members were required to pass a background check, have a Driver License, and be over 55 years old. Joanne noted that even though the program was federally funded, they were required to come up with around \$5,000 to \$10,000 in community support. She noted that in the past, fund raisers and donations had provided the required community support.

Dale Brinkerhoff expressed his thanks to Joanne Lyman for her presentation. Dale expressed that the commissioners would consider making a donation if there were extra funds after the budgeting process.

CONTRACT FOR SERVICES FOR THE IRON COUNTY PUBLIC SAFETY BUILDING. ESTIMATED TOTAL OF \$10,900

Dale Brinkerhoff made a motion to approve a contract for services with Gem Engineering, Inc. for materials testing and inspection services for the Iron County Public Safety Building, not to exceed \$10,900. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

GENERAL SERVICE CONTRACT BETWEEN ROCKY MOUNTAIN POWER AND IRON COUNTY

Dale Brinkerhoff made a motion to approve a general service contract between Rocky Mountain Power and Iron County for the Public Safety Building not to exceed the amount of \$804.39. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

APPROVAL OF REPAYMENT TO GOLD CROSS PER PURCHASE AGREEMENT

Dale Brinkerhoff explained that there were items not turned over to Gold Cross at the time the ambulance service was sold to them totaling \$1231.60. Dale Brinkerhoff made a motion to approve the payment of \$1231.60 for items not turned over to Gold Cross Ambulance at the time the service was sold to them. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

PERSONNEL

Alma Adams introduced the new Human Resource (HR) Director Adrion Walker from Vernal, Utah. Alma expressed gratitude to HR Assistant Betsy Cummings for all the work she had performed since former the HR Director had been vacated by Leslie Bishop.

Besty Cummings, IIR Assistant, explained that Scott Garrett had requested a pay increase for Chad Dotson as he fell below the new level set for exempt employees. Scott

recommended that they move Chad to the midpoint of his salary range where it fell in the salary study, which was in the amount \$48,524 and he currently makes \$46,000 per year. Alma Adams suggested that the request be resubmitted on the new budget request for 2017.

Betsy Cummings, presented the new hire of Adrion Walker as HR Director, effective September 12, 2016 for approval. This would be a backfill of a vacant position. In the Council on Aging, Betsy Cummings presented the new hire of Justin Davis as a Temporary Assistant Cook, effective August 30, 2016 for approval. This would be to fill in for the present Assistant Cook who was on medical leave. In the Assessors' Office, Betsy Cummings presented the new hire of Latonya Heaton as Part Time DMV Technician, effective September 8, 2016 for approval. This would be a backfill of a vacant position. In the Road Department, In Roads, Betsy Cummings presented the rehiring of John Williams as Road Maintenance Worker, effective September 12, 2016. Betsy Cummings also presented the new hire of Kim Hunter and Casey Christensen as Road Maintenance Workers, effective September 26, 2016 for approval. These would be backfill of vacant positions.

Dale Brinkerhoff made a motion to approve the changes in personnel as presented. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

NON-DELEGATED ITEMS

Regarding the **Public Safety Building**, Dale Brinkerhoff reported that an invoice presented for payment was consistent with the architect, contractor, and Iron County in the amount of \$220,649.56, signed by Garrett Sullivan of Mesa, Engineering and Chad Carter, and made a motion to approve the payment of \$220,649.56 as billed, also to make payment in the amount of \$8,370 to Cedar Land Title for title services supporting the Public Safety Building project. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

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

APPROVAL OF MINUTES

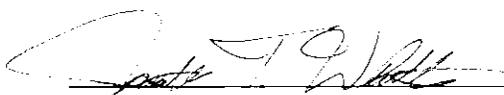
Casey Anderson made a motion to approve the minutes of the Iron County Commission Meeting held August 22, 2016. Second by Alma Adams. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Absent.

ADJOURNMENT

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



Signed: Alma Adams, Chairman



Attest: Jonathan T. Whittaker, County Clerk

