

IRON COUNTY COMMISSION MEETING
September 26, 2016

Minutes of the Iron County Commission meeting convened at 9:00 a.m.
September 26, 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
Cindy Bulloch	County Assessor
Nicole Rosenberg	County Treasurer
Adrion Walker	Human Resources Director

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Preston Nelson.

INVOCATION

An invocation was offered by Bruce Anderson.

DEPARTMENTAL REPORTS

Steve Platt, Iron County Engineer, reported that the budget was on track, and the chip sealing that needed to be done on the frontage road at Exit 51 had been completed, with some fencing and cleanup remaining. Steve stated that Cedar Highlands was in the process of incorporating. Casey Anderson reported that there was a public meeting held and that it would be on the ballot in November. Steve noted that there would be a road completed in Parowan from 200 South (Holyoak Lane) past Eagle Rock to Highway 91. He added that there needed to be a surveyor sent out to the Kane Springs Road so they could obtain the right of way to begin the improvements. He reported that he had met with the Central Iron County Water Conservancy District (CICWCD) and reported that they had received a \$100,000 grant from the state for a recharge project on Coal Creek, and he would like to see it used at the mouth, or above the mouth, of the canyon, but it would be used out to Quichapa North of Hwy 56. Steve reported the pipes had been put in at Woods Ranch, but improvements were needed on the spring. He noted that Jones Land & Livestock had granted easements on the 7700 W Lake Road project. Steve stated that the Federal Emergency Management Agency (FEMA) 2009 Floodplain Update and draft was in his office but not completed.

Chad Nay, Iron County Building & Zoning Administrator, reported on the Building Inspection that as of the end of August there had been 74 more building permits issued than in August 2015, with 50 of those issued in the unincorporated areas of Iron County. Chad noted that though the year 2015 was a banner year for solar, building permit valuations were up by \$12,800,128 in the unincorporated area of Iron County.

Chad then reported that Planning and Zoning had been working hard and diligently to produce fair and equitable regulations for "Short Term Rentals," which resulted from home owners renting their homes out for "Short Terms." He stated that there would be a public hearing on the first Thursday of October, during the regular Planning Commission meeting, to amend the Iron County Land Management Code to include minimal regulation for "Short Term Rentals." Chad noted that there was a marketable opportunity for this type of industry and that it was necessary to alleviate the impacts potentially created by rentals in and around neighborhoods. He added that it was also important to keep the market fair to the transit housing businesses already established in Iron County. Cindy Bulloch questioned if a Business License was required for the home owners. Chad stated that there was not at this time. Casey Anderson noted that it had not been discussed in the meetings as of yet. Chad reported that there had been an increase in zoning complaints with the increase of building and that it was hard to adequately deal with them due to the lack of zoning personnel.

Chad reported on Building Maintenance and that the tenant improvements at the Iron County Visitors Center Office Building were being completed rather quickly and efficiently. He noted that the Courthouse renovation was ramping up and that it was a challenge when there were so many options to consider. Chad stated that the Fiddlers Canyon Building was in need of some major repairs in heating and air conditioning equipment and there was a need to update the handicap ramp before winter.

Chad reported that with the unexpected expense of the Visitor Center improvements his budget would be tight in trying not to go over it, and he would do his best to stay within the bottom line. He stated that his personnel staff was stretched to the limit and that he would address the problem through the budget process.

Preston Nelson, Iron County Roads Supervisor, reported that since his hire date of August 24, 2016 there had been three additional personnel hired. Preston stated that 2200 N in Parowan Valley and Vandenburg Road had been chipped. He reported that sealing had been completed on Yankee Meadow Road, Hwy 91 between Summit and Parowan, Lund Hwy, Westview Subdivision, Harmony Mtn, 5700 W Belt Route, and New Castle town. Preston added that they would begin striping Hwy 91 between Summit and Parowan, Lund Hwy and Belt Route in Cedar Valley. He noted that they were

making sure that snow plow equipment was ready and that they were getting started on the Kane Springs Road.

Bruce Anderson, Iron County Landfill Supervisor, reported that the budget was on track and that the water test was completed and sent in, with no word on the results as of yet. Bruce stated that the annual Landfill inspection by the state was completed and that it was a positive report. He noted that the phase filling plan in the Armstrong pit was almost complete. Bruce reported that the wood grinding and metal recycling were complete with just under 700 tons of metal recycled with a net payment of around \$60,000. He added that his equipment was doing well, but the Pit Compactor had nearly 10,000 hours and would need periodic maintenance.

Casey Anderson, Iron County Commissioner, reported that he was able to attend the Cedar Highlands public meeting held on September 24, 2016 and Spencer Hadley from the Lieutenant Governor's Office had conducted the meeting, and did a great job. Casey noted that the legal requirements had been met to place the vote to incorporate on the November 2016 ballot for those living in the boundaries. He added that those in attendance were interested in doing something new. Casey stated that Steve Swann, HOA President, was the person leading the efforts to incorporate. He noted that the Cedar Highlands citizens were interested in working with Iron County with law enforcement and fire, and that the Federal Government covered fires on Federal land, but there would be costs for those on private land. Dale Brinkerhoff noted that the water was provided by the Iron County Water Conservancy District (ICWCD).

Alma Adams, Iron County Commission Chair, reported that he had attended a recent Utah Association of Counties (UAC) Management Conference along with Dale Brinkerhoff and learned that Iron County was not one of the whole harmless counties for road money with the new five cent tax put on in January, which would be a great help for Iron County with all the road work that had to be done. Alma added that he met with Arndt Lutz from Scatec Solar, and they were moving forward with mitigation of excess noise near the Red Hills Renewables solar farm.

UTAH'S PATCHWORK PARKWAYS ANNUAL REPORT

Nancy Dalton, State Scenic Byway Committee, reported that the National Scenic Byway Program was still intact without earmarked funding, and that Byways and their communities were eligible to apply for Federal Highway Administration through federal and state UDOT funding programs. Nancy stated that in October 2015, the Utah State Scenic Byway Program's Livability Plan was completed and included strategies to sustain, market, and fund state and local byway programs. She added that the Tourist Oriented Directional Signage program had been developed and was starting the implementation phase through UDOT. Nancy explained that the program provided off-the-byway businesses with an opportunity to have directional signage to their business from the main highways, which was similar to the blue lodging, fuel, restaurant signs along I-15. She reported that there was a newly installed billboard on I-15 Exit 75, south of Parowan, and was renewed for a one-year lease. Nancy noted that the billboard was funded from the Garfield county Travel Office and the Cedar City-Brian Head Tourism Office. She announced that the Iron County Scenic Byway had received national recognition as one of sixteen of the "Most Beautiful Spring Drives in the U.S." by The Active Times on the www.msn.com travel section.

Nancy reported on the 2016-17 Byway Project and that they are working on creating a mobile app and marketing project that would promote at least 10 sites/areas along the byway that was visitor accessible. She stated that they had received a NPS Trails, Recreation, & Conservation Program technical assistance grant to begin the design work for Panguitch's three trail head kiosk sites. She reported on the 2016-17 Grant Projects which were to assist Parowan with obtaining grant funds for trails project, and assist Brian Head with obtaining grant funds to construct a central trail head site with amenities near their pond.

PUBLIC COMMENTS

No public comments were offered.

DELEGATE THE DUTIES OF ISSUING ENCROACHMENT PERMITS TO THE IRON COUNTY ENGINEER

Alma Adams, Iron County Commissioner, explained that the issuing of encroachment permits used to be handled by the Iron County Clerk's Office and had been handed over to the Iron County Engineer Department. Alma added that the shift of responsibilities had not been formalized through the commission and was therefore being considered for approval at this time. Mike Edwards, Iron County Attorney, reported that he prepared an Ordinance to amend the duties to the Iron County Engineer.

Dale Brinkerhoff made a motion to move the item to the next commission meeting to have a public hearing and to discuss the amendment to the Iron County Code delegating the Iron County Engineer to issue encroachment permits. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

OFFICIAL NOTIFICATION OF ETHAN BROWN AS AN INTERN FROM SUU ASSISTING IN THE JUSTICE COURT

Lori Starr, Iron County Justice Court Manager, explained that Ethan Brown was a senior at SUU and was an intern assisting in the Justice Court. Lori noted that Ethan's goal was to become a Federal Judge.

Mike Edwards explained that Iron County had a policy that all volunteers had to be approved by the commission, and as Ethan was an intern this did not fall into the category, but expressed concern that interns should sign a waiver of liability. Mike informed the commissioners that he had designed a form that would be available to all departments in Iron County that are or would be using interns.

PUBLIC DEFENDER CONTRACT FOR TROY SUNDQUIST TO REPRESENT THE INDIGENT IN THE FIFTH DISTRICT COURT

Lori Starr, Iron County Justice Court Manager, explained that Public Defender Joseph Farnsworth took a position in St. George as a guardian ad litem and Troy Sundquist had been selected to be the new Public Defender to represent the indigent in Fifth District Court, with an effective date of October 1, 2016.

Dale Brinkerhoff made a motion to approve the contract of Troy Sundquist as a Public Defender to represent the indigent in Fifth District Court, with an effective date of October 1, 2016. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

RESOLUTION 2016-8 APPOINTING A REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL (UCIP)

Alma Adams explained that a new appointment for a representative and an alternate was needed for UCIP.

Casey Anderson made a motion to appoint Iron County Clerk Jon Whittaker as the representative and Human Resource (HR) Director Adrion Walker as alternate. Second by Dale Brinkerhoff. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

IRON COUNTY RESOLUTION 2016-8

A RESOLUTION OF THE IRON COUNTY COMMISSION APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE FOR THE UTAH COUNTIES INDEMNITY POOL ANNUAL MEMBERSHIP MEETING.

Whereas, the Governing Body of Iron County, Utah, is the proper authority to appoint a qualified person to act as the official representative for Iron County at the Utah Counties Indemnity Pool Membership Meeting to be held on November 17, 2016; and

Whereas, the Governing Body of Iron County, Utah, has been informed that the By-laws of the Utah Counties Indemnity Pool require that the official representative and an alternate representative for Iron County must be an elected or appointed officer or employee of a Member and must be appointed by majority vote of the Governing Body of the Member to be the Member's official representative for the purposes of the Pool.

Now Therefore, be it hereby resolved that the Governing Body of Iron County, Utah, hereby appoints Jonathan T. Whittaker as the official Iron County Representative for the Utah Counties Indemnity Pool Membership Meeting to be held on November 17, 2016, with Adrion Walker as an alternative representative.

RESOLVED, ADOPTED, AND ORDERED this 26th day of September, 2016

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

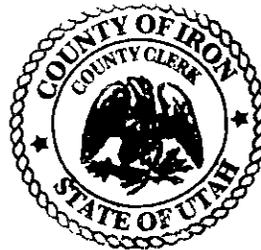
By: _____

Alma L. Adams - Chairman

ATTEST:

Jonathan T. Whittaker

Jonathan T. Whittaker – Iron County Clerk



Voting:

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

REQUEST TO ABATE TAXES OR PURSUE FURTHER COLLECTION

Cindy Bulloch explained that Jared Berger was still delinquent on old transient personal property tax in the amount of \$1387.23 and he did not have money to pay it. Cindy noted that it had been sent to collections and payments were made for a while and then the credit card was declined and no further payments were received.

Dale Brinkerhoff made a motion to abate the taxes of Jared Burger Excavator in the amount of \$1387.23 with accrued interest. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

REQUEST TO FORGIVE PENALTIES AND INTEREST ON A.P.N. A-1179-11

Nicole Rosenberg, Iron County Treasurer, explained that the owners of Assessor's Parcel Number A-1179-11 were in the process of selling the property and were informed by the title company that there were delinquent taxes due. Nicole added that the owners, Monk Family Trust, stated that they were not aware of the delinquent taxes as they had never received any tax notices. She explained that the zip code had been incorrectly entered and therefore no notices had been delivered.

Dale Brinkerhoff made a motion to forgive the penalties and interest due to the incorrect zip code in the amount of \$1,562.41 on parcel A-1179-11. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

APPROVAL TO FUND DIGITALIZING OF RECORDER MICROFILM

Debbie Johnson, Iron County Recorder, explained that due to the upcoming remodel of the Courthouse and having to relocate there were about 2000 books that she needed to continue to make available to the public. Debbie reported that three years ago Family Search had come to the courthouse and scanned many books, including the old, large abstract books for free, and would have cost \$0.50 per page otherwise. She noted that Dana Stubbs was currently scanning the most current abstract books and was hoping to have them done by the end of the year. Debbie reported that there were about 300 deed books that still needed to be scanned, and that she had contacted state archives and reported that it would cost about \$40 a roll to transfer the information from microfilm to a hard drive, which would become a permanent retention and would be a great help for the public. She noted that it would take the rest of the year to get the work completed and estimated the cost would be around \$14,000.

Dale Brinkerhoff made a motion to approve up to \$14,000 to fund digitalizing of Recorder’s Office microfilm. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

PERSONNEL

Adrion Walker, Human Resource (HR) Director, presented the new hire of Cheryl Williams as a Part Time Outreach Worker in the Council on Aging (COA) Department, effective September 26, 2016, for approval. This would be a backfill of a vacant position. In the Assessor’s Office, Adrion Walker presented a request from Cindy Bulloch, Iron County Assessor, for a pay increase for Daniel Westwood for progressing from Trainee to Apprentice, effective date February 29, 2016, for approval.

Dale Brinkerhoff made a motion to approve the new hire and pay increase as explained, with a budget adjustment if necessary. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

NON-DELEGATED ITEMS

Dale Brinkerhoff made a motion to approve James C Robinson as a member of the Career Service Council with a three year term. Second by Casey Anderson. Voting: Alma Adams, Aye; Casey Anderson, Aye; Dale Brinkerhoff, Aye.

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