IRON COUNTY COMMISSION MEETING
July 12, 2010

Minutes of the Iron County Commission meeting convened at 9:00 a.m. July 12, 2010 in
Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:
Wayne A. Smith Commission Chair
Alma L. Adams Commissioner
Lois L. Bulloch Commissioner
Michael Edwards Deputy County Attorney
David L. Yardley County Clerk
Reed Erickson County Administrator

Also Present:
Dennis Johnson TV Service Technician
Ryan Riddle Fire Marshall
Scott Wilson CICWCD

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PLEDGE OF ALLEGIANCE

Those assembled were led in the pledge of allegiance by Reed Erickson.

APPROVAL OF MINUTES June 28, 2010

Minutes of the Iron County Commission meeting held June 28, 2010 were approved as
amended on a motion by Lois Bulloch. Second was by Alma Adams. Voting: Wayne Smith,
Aye; Alma Adams, Aye; Lois Bulloch, Aye.

DEPARTMENT REPORTS

Dennis Johnson reported on TV issues at mountain sites maintained by the County. The
request from Questar to increase power at Frisco peak from a maximum of 1,000 watts to 10,000

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watts was denied by the BLM, site managers. They have proceeded to install the equipment within site guidelines.

Dennis reported that there had been a problem with the generator at Levan Peak in which the generator did not revert to live power when it was restored. This caused the site to be down for about five hours. In tests, the problem has not been duplicated.

Ryan Riddle presented a fire report to the Commission. He also discussed where fire prevention measures have been implemented in urban interface areas. A training workshop where 180 firefighters in the five county area have been trained in wildland fire work. This included 56 firefighters in Iron County. Refresher courses have also been completed for seven departments including Iron County Ambulance.

Scott Wilson reported on the Central Iron County Water Conservancy District (CICWCD). A proposal has been submitted to the Rainbow Meadows Ranchos Homeowners Association explaining how they can be annexed into the District which will allow the District to develop a culinary water system for that subdivision. Currently the subdivision is on a “Do Not Use” order from the State DEQ.

Scott also reported on the Lake Powell Pipeline project. Projected cost to construct the pipeline would cost 18,000 to 22,000 per acre foot of water pumped. Operating costs would be added which would also be higher than current costs.

A public hearing is scheduled in Beaver County on July 14 to discuss a proposal to mine water for the CICWD and transport the water to the Cedar City area.

Lois Bulloch reported that she is considering placing an application to serve on the State Council on Aging.

Alma Adams reported that the animal shelter is at capacity. Best friends animal sanctuary will be contacted to see if they are willing to pick up excess animals.

Alma also reported that in a meeting with Cedar Highlands Subdivision representatives, the possibility of establishing an assessment area to fund a global study of the Green Hollow landslide area was discussed.

Wayne Smith reported that he has met with Steve Platt and Chris Dallen regarding the proposed geologic hazards ordinance. They have expressed concerns with some of the language and the effect this will have on existing subdivisions and future development within the County.

**DRAFT COMMUNITY DEVELOPMENT PROJECT AREA PLAN:**

Brennan M. Wood, Iron County Economic Development Director, presented a draft Community Development Project Area Plan which is to be submitted to the Board of the Iron County Community Development and Renewal Agency. The Board will be requested to accept, deny, or amend the draft plan and forward to the County Commission for their approval. The procedure requires thirty days notice to property owners within the plan area and also fourteen days public notice. The plan will be placed on the second meeting in August for public hearing and action. Lois Bulloch made a motion to proceed with the draft plan and authorize a public hearing to be scheduled in August. Second by Alma Adams. Voting: Wayne Smith, Aye; Alma Adams, Aye; Lois Bulloch, Aye.
SITLA EASEMENT AGREEMENTS FOR RS-2477 CLASS “B” ROADS:

Steve Platt, Iron County Engineer, presented a proposed agreement to transfer ownership through SITLA property of RS-2477 roads to Iron County. The proposal would be a purchase funded from off road vehicle registrations and would require the roads to be open to off road vehicles. After reviewing the proposal, Lois Bulloch made a motion to approve the agreement and authorize the Commission Chair to sign the agreement. Second by Alma Adams. Voting: Wayne Smith, Aye; Alma Adams, Aye; Lois Bulloch, Aye.

ADVANCE EMERGENCY MANAGEMENT CERTIFICATE PRESENTATION:

Ron Mosherr, Homeland Security Bureau Chief and Southwest Utah Regional Exercise Training Chair, Lynn Excell presented to Charlie Morris and Jane Shaffer recognition of obtaining advanced emergency management certification through FEMA. Mr. Excell explained the training involved and commented on the excellent work Mr. Morris and Ms. Shaffer have accomplished.

The Commission congratulated Mr. Morris and Ms. Shaffer and presented a FEMA Certificate of Achievement to Jane Shaffer. Charlie Morris received his Certificate of Achievement at an earlier meeting.

ROAD EASEMENT/VACATE REQUEST:

The Commission recalled a request to alter a road easement by vacating and moving a road in Parowan Valley for Carl Evans to accommodate a pivot sprinkler. Steve Platt reported that he has examined the request and has determined that the County has a 66 foot easement on the south side of the property and the fence lines are wider on the east side. The fences may not be located on the property lines on the east, judging by the location of power poles and an existing fence around a small parcel owned by UP&L.

The Commission explained to Mr. Evans that the County required a 66 foot easement for roads and therefore would be unwilling to vacate a portion of the south road. The only way to change this right of way would be for Mr. Evans to deed additional right of way on the south side of the existing right of way and reimburse the County for the expense incurred in relocating the road. The Commission encouraged Mr. Evans to get his property surveyed to locate the east boundary line of his property and to utilize his property as described on his deeds.

PERSONNEL MATTERS:

Colette Eppley presented a request for a salary adjustment for Jaren Scott, Landfill Supervisor, the request is to increase his salary by $5,000 annually. Alma Adams made a motion to approve the salary adjustment as presented. Second by Lois Bulloch. Voting: Wayne Smith, Aye; Alma Adams, Aye; Lois Bulloch, Aye.

Reed Erickson reviewed a draft MOU between Iron County and Five County AOG for staffing the Rural Planning Organization for Iron County. The MOU was distributed to the Commission for their review and the matter will be placed on the next agenda for action.

Reed presented a request for a schedule adjustment for the Administrator’s office to allow Jan Neth to work a 4 10 schedule. Lois Bulloch made a motion to approve the 4 10 work schedule for the Administrative Assistant. Second by Alma Adams. Voting: Wayne Smith, Aye;
Alma Adams, Aye; Lois Bulloch, Aye.

**PROPOSED GEOLOGIC HAZARD ORDINANCE PRESENTATION**

Todd Stowell presented a draft geologic hazard ordinance as approved by the Planning Commission in preparation for public hearing scheduled for July 26, 2010. Mr. Stowell explained that this ordinance is designed to only affect geologic hazard areas within the County and it outlines required procedures in addressing development or building on the geologic hazard areas. The matter will be placed on the next agenda for a public hearing.

**CERTIFIED TAX RATE APPROVAL**

Gene Adams presented proposed certified tax rates for the County and the Municipal Service Fund. The proposed rates are: General County tax 0.001993 and the Municipal Service Fund tax 0.002738. Alma Adams made a motion to adopt the proposed certified tax rates as presented. Second by Lois Bulloch. Voting: Wayne Smith, Aye; Alma Adams, Aye; Lois Bulloch, Aye.

**CLOSED MEETING**

Lois Bulloch made a motion to close the meeting in accordance with Utah Code 52-4 et. seq. for the purpose of a strategy session to discuss pending or reasonably imminent litigation. Second by Alma Adams. Voting: Wayne Smith, Aye; Alma Adams, Aye; Lois Bulloch, Aye.

**STATE OF UTAH**

**COUNTY OF IRON**

I, Wayne A. Smith, Chairman of the County Commission of Iron County, Utah hereby certify that the purpose of the Closed Meeting convened was conducted in accordance with Utah Code 52-4 et. seq. for the purpose of a strategy session to discuss pending or reasonably imminent litigation.

Dated this 12th day of July, 2010.

Signed: Wayne A. Smith, Chairman

Attest: David I. Yardley
County Clerk

**PRAIRIE DOG MATTERS**

The Commission reported that in discussions with Tyler Owens of Senator Bennett’s staff that chances of getting a bill passed this session to help resolve the prairie dog problem in Iron County was not good. As Senator Bennett will be leaving Congress after this year, the matter will be turned to Senator Hatch, who has agreed to pursue the issue in behalf of Iron County.

**SURPLUS VEHICLE LIST APPROVAL**

A list of vehicles which have been identified as surplus from various County departments
was presented for review. Several vehicles on the list have been requested for use by other
departments. After reviewing the list, Lois Bulloch made a motion to approve the list of surplus
equipment and to authorize transfers as requested. Vehicles not listed for transfer were approved
for disposal through a sealed bid process. The County Clerk was directed to advertise the vehicle
Bulloch, Aye.

**TAX MATTER. ASSESSOR TAX ADJUSTMENT FOR MOBILE HOME:**

Dennis Ayers, County Assessor, requested a tax adjustment for a mobile home listed as
account # B799524 as personal property. The request explained that the mobile home has been
removed, dismantled and disposed. No recourse exists to recover the delinquent tax amount of
$41.37. Alma Adams made a motion to defer the tax of $41.37 on account B799524 as
Bulloch, Aye.

**TAX MATTER. APPROVAL OF DISCLOSURE FORM:**

Dennis Ayers requested approval of a Board of Equalization form listed as Disclosure of
Confidential Commercial Information Affidavit. Lois Bulloch made a motion to approve the
Bulloch, Aye.

**CALENDER SCHEDULE COORDINATION:**

Reed Erickson coordinated calendars with the Commissioners until the next Commission
meeting.

**ADJOURN:**

The meeting was adjourned at 4:00 p.m. on a motion by Lois Bulloch. Second was by

Signed: Wayne A. Smith, Chairman

Attest: David I. Yardley
County Clerk

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