

STATE OF UTAH

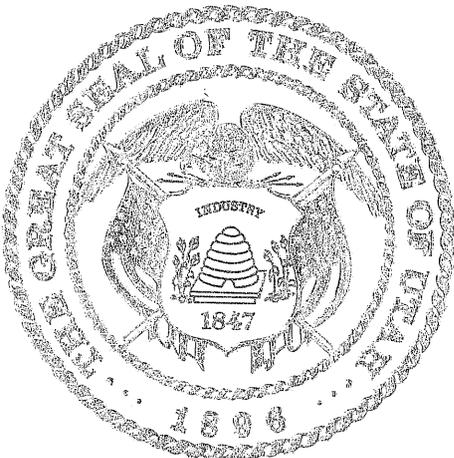


OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, dated April 26<sup>th</sup>, 2010, complying with Section 17C-1-201, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of creation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, located in Iron County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 3<sup>rd</sup> day of May, 2010.

  
\_\_\_\_\_  
GREG BELL  
Lieutenant Governor

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One Utah Center, Suite 800  
201 South Main Street  
Salt Lake City, UT 84111-2221  
TEL 801.531.3000  
FAX 801.531.3001  
www.ballardspahr.com

M. Michelle Allred  
Direct: 801.517.6877  
Fax: 801.531.3001  
allredm@ballardspahr.com

April 29, 2010

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Lieutenant Governor's Office  
State Capitol Building, Suite 220  
Salt Lake City, Utah 84114

Re: **CREATION OF IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY**

To Whom It May Concern:

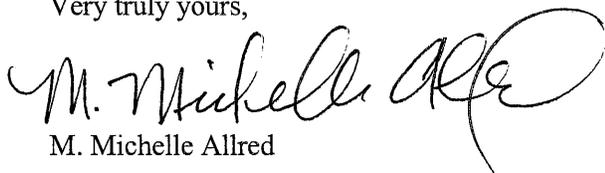
In accordance with Section 17C-1-201 of the Limited Purpose Local Government Entities – Community Development and Renewal Agencies, Utah Code Annotated 1953, as amended, we hereby file the following, on behalf of the Board of County Commissioners of Iron County, Utah (the “Commissioners”):

- a copy of Ordinance No. 2010-3 adopted by the Commissioners to create the Iron County Community Development and Renewal Agency (the “Agency”);
- a Notice of Impending Boundary Action with regard to the creation of the Agency; and
- a copy of an approved final local entity plat with regard to the creation of the Agency.

The geographic boundaries of the Agency shall be coterminous with the geographic boundaries of the unincorporated area of Iron County and as otherwise authorized by law. In accordance with Section 17C-1-201 of Utah Code, we request the Lieutenant Governor to issue a certificate of creation for the Agency.

If you have any questions, please contact me at (801) 517-6877.

Very truly yours,



M. Michelle Allred

MMA/kt  
Enclosures

**Received**

**MAY - 3 2010**

**Greg Bell  
Lieutenant Governor**

Parowan, Utah  
April 26, 2010

The Board of County Commissioners (the "Board") of Iron County, Utah, met in regular public session at its regular meeting place of the Board in Parowan, Utah, on April 12, 2010, at 9:00 am. The meeting was called to order by the Wayne Smith with the following being present, and constituting a quorum:

Wayne A. Smith	Chair
Alma L. Adams	Commissioner
Lois L. Bulloch	Commissioner

Also present:

David I. Yardley	County Clerk
Michael Edwards	Deputy County Attorney

After the meeting had been duly called to order and after other matters not pertinent to this Ordinance had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this April 12, 2010 meeting was presented to the County Commission, a copy of which is attached hereto as Exhibit A.

Thereupon, the following Ordinance was approved and adopted on the following recorded vote:

AYE:            Wayne A. Smith  
                     Lois L. Bulloch  
                     Alma L. Adams

NAY:            None

The Ordinance was then signed by the Chair in open meeting and recorded by the Clerk in the official records of Iron County, Utah. The Ordinance is as follows:

**ORDINANCE NO. 2010-3**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS  
(THE "BOARD") OF IRON COUNTY, UTAH (THE "COUNTY"),  
CREATING A COMMUNITY DEVELOPMENT AND RENEWAL  
AGENCY AND RELATED MATTERS.**

WHEREAS, the Board of County Commissioners (the "Board") of Iron County, Utah (the "County"), desires to create a Community Development and Renewal Agency (the "Agency") pursuant to the provisions of the Limited Purpose Local Government Entities – Community Development and Renewal Agencies, Title 17C, Utah Code Annotated, 1953, as amended (the "Act"), to undertake or promote urban renewal, economic development, or community development, or any combination of them; and

WHEREAS, the Board hereby finds and determines that the public health, convenience and necessity require the creation of an Agency; and

WHEREAS, it is necessary to authorize the establishment of an Agency under and in compliance with the laws of the State of Utah and to authorize other actions in connection therewith; and

WHEREAS, the Board hereby recognizes that Iron County qualifies as a low-income New Market Tax Credit Community under Census Tracts 49021110100, 49021110200, 49021110300, 49021110400, 49021110500, 49021110600, 49021110700 and also has one of the lowest per capita income rates as well as one of the highest poverty rates in the State of Utah. The purpose of this agency is to facilitate redevelopment efforts and have a positive influence on businesses and economic development in areas that are underutilized, blighted or under economic stress:

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

1. All terms defined in the recitals hereto shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Ordinance) by the Board and by the officers of the County directed toward the creation and establishment of a Agency, are hereby ratified, approved, and confirmed.
2. The Board hereby creates an Agency to be known as the "Iron County Community Development and Renewal Agency" (the "Iron County Agency"). The Iron County Community Development and Renewal Agency will be deemed created upon the issuance by the Lieutenant Governor of a certificate of creation under the Act.
3. The geographic boundaries of the Iron County Community Development and Renewal Agency shall be coterminous with the geographic boundaries

of the unincorporated area of the Iron County as of the date hereof and as otherwise authorized by law.

4. The governing board of the Iron County Community Development and Renewal Agency shall be a three member board consisting of the members of the Iron County Board of Commissioners. Upon a change in the membership of the Iron County Board of Commissioners, the governing board of the Iron County Community Development and Renewal Agency shall likewise change to match the membership of the County Board.
5. Within 10 days of the adoption of this Ordinance, the Board shall file or cause to be filed with the Utah Lieutenant Governor a notice of this Ordinance, including therewith a copy of this Ordinance as required by the Act.
6. The appropriate officers of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.
7. If any one or more sections, sentences, clauses, or parts of this Ordinance shall, for any reason, be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this Ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause, or part of this Ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Ordinance in any other instances.
8. Immediately after its adoption, this Ordinance shall be signed by the Chair of the Board and attested by the County Clerk and shall be recorded in the ordinance book kept for that purpose. A summary of this Ordinance shall be published once in Spectrum/Daily News, a newspaper published and having general circulation in the County, and shall take effect immediately upon its passage and approval and publication as required by law, but in no event earlier than 15 days after its passage.
9. All ordinances or resolutions of the County in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Ordinance, by-law or regulation, or part thereof, heretofore repealed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON  
COUNTY, UTAH THIS 26<sup>th</sup> day of April, 2010.

(SEAL)



By: Wayne A. Smith  
Chair

ATTEST:

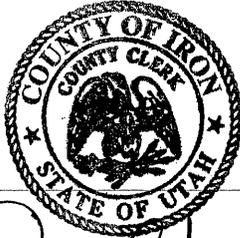
By:

David J. Gardley  
County Clerk

(Here follows business not pertinent to the above.)

Pursuant to motion duly made and seconded, the Board adjourned.

(SEAL)



By: Wayne A. Smith  
Chair

ATTEST:

By:

David J. Yardley  
County Clerk



EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, David I. Yardley, the undersigned County Clerk of Iron County, Utah (the "County"), do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the April 12, 2010, public meeting held by the Board of County Commissioners as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the County on April 21, 2010, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to The Spectrum/Daily News, on April 21, 2010, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>).

In addition, the Notice of 2010 Annual Meeting Schedule for the Board of County Commissioners (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Board of the County to be held during the year, by causing said Notice to be (i) posted on December 16, 2009, at the principal office of the County, (ii) provided to at least one newspaper of general circulation within the geographic jurisdiction of the County on December 22, 2009 and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 26<sup>th</sup> day of April, 2010.

(SEAL)



By: David I. Yardley  
Iron County Clerk

**SCHEDULE 1**  
**NOTICE OF MEETING**

**NOTICE AND AGENDA OF A MEETING OF THE**

**BOARD OF COMMISSIONERS OF THE COUNTY OF IRON  
STATE OF UTAH**

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PUBLIC NOTICE IS HEREBY GIVEN that the Board of Commissioners of the County of Iron, State of Utah, will hold a Public Meeting in Commission Chambers at the Iron County Courthouse, 68 South 100 East, Parowan, Utah on **Monday, the 26<sup>th</sup> Day of April 2010** at the hour of 9:00 o'clock a.m.

**AGENDA**

- 9:00 A.M. PLEDGE OF ALLEGIANCE, REPORTS, APPROVE MINUTES, APPROVE WARRANTS, DEPARTMENT REPORTS (Assessor, Auditor, Treasurer, Council on Aging) ETC:
- 10:30 A.M. DISCUSS IDEAS FOR STATE-FEDERAL LAND EXCHANGES IN IRON COUNTY. Requested by Kevin Carter & John Andrews, SITLA.
- 10:45 A.M. NOTIFICATION OF A CONDITIONAL USE PERMIT REQUEST FOR A GUEST HOUSE. Property Owned by Scott W. Day and Kila K. Day, Within the W1/2NE1/4NE1/4 Section 19, Township 35S, Range 11W, SLM, at 3831 W 4000 North, Cedar City. Presented by Chad Nay, Iron County Building Official & Zoning Administrator.
- 11:00 A.M. NON-PERMANENT TAKE REQUEST FOR UTAH PRAIRIE DOGS. Requested by Adam Kavalunas, UDWR.
- 11:15 A.M. AMEND ORDINANCE 2010-3 TO CORRECT EXHIBIT ATTACHMENT ERROR
- 11:30 A.M. PERSONNEL MATTERS:
1. New Hires
  2. Promotions
  3. Position Justification and Workforce Assessment Approval
  4. Approval of Policy Section 17 - Workers Compensation
  5. Contract for Services Natural Resource Manager
- 1:30 P.M. PUBLIC HEARING - AMENDMENTS TO IRON COUNTY CODE (ZONING ORDINANCE-SOLAR ENERGY)

1:45 P.M. PUBLIC COMMENT PERIOD: Limited to 3 Minutes Per Person

2:00 P.M. CLOSED MEETING for the Purpose of a Strategy Session to Discuss Pending or Reasonably Imminent Litigation.

**NON - DELEGATED ITEMS**

1. Prairie Dog Matters.
  2. Calender Schedule Coordination.
  3. County Board Appointments
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In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Iron County Clerk, 68 South 100 East, Parowan, Utah 84761 Phone (435) 477-8340 at least three days prior to the meeting to be attended.

**SCHEDULE 2**  
**ANNUAL MEETING NOTICE**  
**PUBLIC NOTICE**  
**2010 IRON COUNTY COMMISSION MEETING SCHEDULE**

**NOTICE IS HEREBY GIVEN** that the regular Iron County Commission meetings for 2010 have been scheduled on the following dates:

January 11	January 25
February 8	February 22
March 8	March 22
April 12	April 26
May 10	May 24
June 14	June 28
July 2 (Friday) 12:00 Noon Canvass Primary Election Results	
July 12	July 26
August 9	August 23
September 13	September 27
October 11	October 25
November 8	November 22
November 15 12:00 Noon Canvass Election Results	
December 13 (Final Budget Hearing 10:00 A.M.)	
December 20	

Meetings will be held in the Iron County Commission Chambers, 68 South 100 East, Parowan, UT beginning at 9:00 A.M.

Persons or groups wishing to address the Commission must make an appointment with the Iron County Clerk by the **Monday preceding the scheduled meeting. Agenda is closed at 5:00 p.m. Monday preceding scheduled meeting. No late agenda items will be accepted. All action items must be included on the agenda to be considered.**

BOARD OF IRON COUNTY COMMISSIONERS

David I. Yardley  
Iron County Clerk

**NOTICE OF IMPENDING BOUNDARY ACTION**

PLEASE TAKE NOTICE that in accordance with Section 17C-1-201 of the Limited purpose Local Government Entities – Community Development and Renewal Agencies, Utah Code Annotated 1953, as amended, the Board of County Commissioners of Iron County, Utah adopted an Ordinance on April 26 2010 to create a Community Development and Renewal Agency to be known as the “Iron County Community Development and Renewal Agency.” The boundary action to which this notice pertains is the establishment of a local entity through the creation of the Iron County Community Development and Renewal Agency, and the undersigned hereby request the issuance of a certificate of creation by the Lieutenant Governor. The undersigned hereby certify that all requirements applicable to the above-described boundary action have been met.

DATED as of this 26<sup>th</sup> day of April 2010.

BOARD OF COUNTY COMMISSIONERS OF  
IRON COUNTY, UTAH

Wayne A. Smith  
Chair

Luis L. Bullock  
Commissioner

Alan R. [Signature]  
Commissioner

(SEAL)



Attest:

David J. Yardley  
County Clerk

