

**MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
December 17, 2024 at 2:00 PM
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH**

Present: Chair Patty Kubeja, Commissioner Celeste Meyeres, Commissioner Wade Heaton, Attorney Van Dyke, Sheriff Tracy Glover, Clerk/Auditor Chameill Lamb, Deputy Clerk/Auditor Candice Brown

Also Present: Rhonda Gant, Shannon McBride, Taylor Glover, Morgan Shakespear, Bert Harris, Judge Johnson, Devin Reed

CALL MEETING TO ORDER: Commissioner Kubeja

WELCOME: Commissioner Kubeja

INVOCATION: Commissioner Heaton

PLEDGE OF ALLEGIANCE: Byard Kershaw

PUBLIC COMMENT:

James Bermant said that he objects to the passing of Kane County Resolution R 2024-41 and 42, saying that he had applied and submitted an application. Shannon replied saying that she received his application and forwarded it to Commissioner Heaton, but he never heard anything after that. He emailed Commissioner Heaton and Commissioner Heaton replied saying that they decided not to interview the applicants that they already knew well. James feels like he should have been able to at least have a five-minute phone conversation to plead his case. This speaks volumes as to the commission selection process.

CONSENT AGENDA:

Check Edit Report:

Motion to approve the Check Edit report and the Commission Meeting Minutes for November 26, 2024 as components of the Consent Agenda as presented made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

REGULAR SESSION:

1. Employee Extra Miler Awards/Commissioner Heaton

The Commission presented extra miler awards to Clayton Cutler, Johnny Roundy, Hayden Gant, and Bert Harris for going above and beyond their job description.

2. Recognition of Gwen Brown and Byard Kershaw for their Service on the Planning and Zoning Board/Commissioner Heaton

The Commission recognized Gwen Brown and Byard Kershaw for their service on the Planning Commission.

3. 2025 Cooperative Agreement for Utah State University Extension Services/Commissioner Kubeja

Elizabeth Davis from the USU Extension presented the 2025 Cooperative Agreement. She said there hasn't been any changes to it besides updated budgets and dates.

Motion to approve the 2025 Cooperative Agreement for Utah State University Extension Services as presented made by Commissioner Kubeja and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye

Commissioner Meyeres-aye

Commissioner Heaton-aye

4. Public Hearing Regarding Kane County Resolution No. R 2024-41 and R 2024-42 Appointing/Reappointing Members to the Kane County Planning Commission

Commissioner Kubeja called us into public hearing.

No public comment was made.

Commissioner Kubeja called us out of public hearing.

5. Kane County Resolution No. R 2024-41 a Resolution Appointing Lara Clayson and Julie Millard to the Kane County Planning Commission/Commissioner Heaton

Motion to adopt Resolution No. R 2024-41 appointing Lara Clayson and Julie Millard to the Planning Commission made by Commissioner Heaton and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

6. Kane County Resolution No. R 2024-42 a Resolution Reappointing Mason Haycock to the Kane County Planning Commission/Commissioner Heaton

Motion to adopt Resolution No. R 2024-42 reappointing Mason Haycock to the Kane County Planning Commission for another four years made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner-Meyeres-aye
Commissioner Heaton-aye

7. 2025 Wildland Fire Participation Commitment Agreement/Commissioner Kubeja

Alan Alldredge and Spencer Rollo presented the 2025 Wildland Fire Participation Commitment Agreement to the Commission. Spencer explained the changes that have been made to the contract.

Motion to approve the 2025 Wildland Fire Participation Commitment Agreement as presented made by Commissioner Heaton and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

8. Kane County Resolution No. R 2024-38 a Resolution Appointing Executive Committee Members to the Southwest Regional Response and Coordinating Team/Commissioner Kubeja

Alan said that we participate with our four other sister counties (Washington, Iron, Garfield, and Beaver County) in a five county regional board and each county is able to put two voting members on the board and it is reapproved every two years. This is to approve Alan and Chief Brett Pierson to the board.

Motion to adopt Resolution No. R 2024-38 appointing executive committee members to the Southwest Regional Response Coordinating Team and that would be Alan Alldredge and Chief Brett Pierson with both terms ending December 31, 2026 made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

9. CEBA Contract Adjustments/Commissioner Meyeres

Commissioner Meyeres mentioned that CEBA is a joint project between Kane County, Kanab City and SUU. The board meets regularly throughout the year and one thing that came forth from their most recent meeting is that our main point of contact (Kelly Stowell) hadn't been building in any kind of cost of living (COLA) into what he is being compensated. The board advised them to work that into the budget moving forward, which they did do in the budget.

10. Zone Change/Ordinance 2024-31: McLaws-Shannon McBride/Commissioner Heaton

Shannon stated that this zone change makes sense with the general plan. There was one vote against it, but the rest were for it. The applicant is wanting to go from AG to C-2 and is working on a conservation easement so the zoning could help with that.

Motion to approve Ordinance No. 2024-31: McLaws zone change application from AG to C-2 made by Commissioner Heaton and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

11. Zone Change/Ordinance 2024-32: McLaws-Shannon McBride/Commissioner Heaton

Shannon said that the applicant is wanting to go from C-1 to C-2 so that he could do a farmer's market. The vote was unanimous to approve it.

Motion to adopt Ordinance No. 2024-32 applicant McLaws to move from C-1 to C-2 made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye

Commissioner Heaton-aye

12. Subdivision Final Plat: Roth-Shannon McBride/Commissioner Heaton

Shannon said that with this final plat everything is in order and recommended approval on it.

Motion to approve Subdivision Final Plat for the Roth Chillville made by Commissioner Kubeja and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye

Commissioner Meyeres-aye

Commissioner Heaton-aye

13. Amended Plat: Best Friends-Shannon McBride/Commissioner Heaton

Shannon said that this is the third attempt to get the PUD revisions corrected because there were a few roads for the 911 addressing and grid that the recorder needed to know where they started and stop. This is a corrected plat for the PUD.

Motion to approve the Amended Plat by Best Friends as presented made by Commissioner Heaton and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye

Commissioner Meyeres-aye

Commissioner Heaton-aye

14. Lot Joinder: Gosser-Shannon McBride/Commissioner Heaton

Shannon said this one is coming to the Commissioner because it has (2) 7.5" public utility easements in the Mirror Lakes Subdivision.

Motion to approve the application to amend the subdivision plat on behalf of the Gosser's for the Mirror Lake Subdivision joining lots 14 and 15 becoming new lot 14 as presented and vacating (2) 7.5" utility easements made by Commissioner Heaton and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye

Commissioner Meyeres-aye

Commissioner Heaton-aye

15. Kane County Resolution No. R 2024-34 a Resolution Amending the Kane County Employee Handbook Regarding Ethical Behavior, Active Living Center Drivers, Partial Vacation Cash-Out Policy and Other Amendments/Full Commission

Commissioner Kubeja said there are a couple different things that are being proposed that we change; Ethical behavior, active living center driver policy, partial vacation cash-out policy, and three-quarter time employee and vacation benefits.

There were no issues with the ethical behavior or active living center drivers section, but there was some talk on how they wanted to do the partial vacation cash-out policy and the three-quarter time employee and vacation benefits and decided to make some changes to the resolution.

Motion to adopt Resolution No. R 2024-34 amending the Kane County Employee Handbook regarding Ethical Behavior, Active Living Center Drivers, Partial Vacation Cash-Out Policy and other amendments with the change that the final sentence of Section 2 be removed and with the addition of the changes that were made today to Section 1 Part B regarding the changes to the process description and timeline and include that Section 302 will be effective March 1, 2025 made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

16. Kane County Resolution No. R 2024-37 a Resolution Adopting a Privacy Policy Statement for Personally Identifiable Information/Full Commission

Attorney Van Dyke stated that this is regarding information we collect on our website. With this policy, it makes people understand what private information we can and do collect, the purposes we have for it, and it also sets forth who they can contact if they have a complaint about it.

There was a few changes to the resolution, which included updating the Commissioners, changing the effective date, and changing the complaint email to the generic commission email address.

Motion to adopt Resolution 2024-37 with the privacy policy statement for personally identifiable information with the changes discussed in the meeting and agreed upon made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

17. Kane County Public Defender Contract/Commissioner Kubeja

Commissioner Kubeja mentioned that our public defender is retiring so we are in the process of hiring a new public defender. They have had two interviews and need to make the choice by January 1, 2025. Attorney Van Dyke suggested that the commission delegate the authority to Commissioner Kubeja to pick the person because they are not quite ready to make a recommendation.

Motion to delegate authority to Commissioner Kubeja to choose the public defender that we enter into the contract and to have her execute the contract made by Commissioner Heaton and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

18. 2025 Commission Meeting Schedule/Full Commission

Motion to adopt the Commission Meeting Schedule as presented with the change that in November they will be meeting on the 18th and 25th instead of the 11th and 25th made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

19. Action on Rural County Grant Funds Recommended by the Kane County Economic Opportunity Board/Commissioner Meyeres

- A. Raising Kane Business Summit and Business Challenge-\$20,000**
- B. Church Wells Project Right of Way Proposal-\$14,000**
- C. East Zion Transportation Project Proposal-\$50,000**
- D. Glendale Town Municipal Grant Proposal-\$20,000**
- E. Farmers Market Proposal-\$5,000**
- F. Small Business Grant Proposal-\$50,000**

Kelly presented the different organizations that applied to get funds from the Rural County Grant Funds and were recommended by the Kane County Economic Opportunity Board.

Motion to approve all the requests here A-F with the exception of D, which has already been approved made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

Commissioner Kubeja-aye
Commissioner Meyeres-aye
Commissioner Heaton-aye

20. Review of Legislative Issues/Full Commission

No legislative issues at this time.

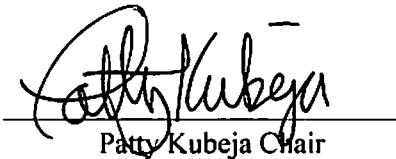
21. Commissioner Report on Assignments/Full Commission

Commissioner Kubeja stated that it was a great weekend with the Wreaths Across America saying that it was a good unified effort throughout the county. She also mentioned that she and Commissioner Meyeres went back to Washington DC for the unveiling of the Martha Cannon statue.

Commissioner Heaton said that progress has started on the Alton Coal road.

Motion to adjourn made by Commissioner Heaton and motion carried with all Commissioners present voting in favor.

WHERE UPON MEETING WAS ADJOURNED



Patty Kubeja Chair



Chameill Lamb Clerk/Auditor