MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS WORK MEETING HELD
November 17, 2014
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

The Work Meeting began immediately following the Special Meeting-Election Canvas, which was held at 10:00 am

Motion to recess the Election Canvass to allow for counting of the provisional ballots, and enter the work meeting until such time as ballots are counted, was made by Commissioner Heaton.

Present: Commissioner Douglas K Heaton, Commissioner Dirk Clayson, Commissioner Jim Matson, Clerk/Auditor Karla Johnson, Attorney Rob VanDyke, Deputy Clerk Linda Millett, and SUNews Reporter Carol Sullivan.

Others Present: Care & Share Craig Hansen, LUA Shannon McBride, GIS Lou Pratt, HR Rhonda Gant, Sheriff Tracy Glover, Deputy Dathan Chamberlain, Roads Supervisor Bert Harris, Election Specialist Carol Lee Hunt, Court Clerk Holly Ramsay, and Byard Kershaw.

CALL MEETING TO ORDER: Commissioner Douglas K Heaton
PRAYER: Clerk/Auditor Karla Johnson
PLEDGE OF ALLEGIANCE: Commissioner Jim Matson
WELCOME: Commissioner Douglas K Heaton

Public Topics and Comments:

Connie Kirk: commented on the Church Wells Re-zoning issue. She is against the re-zoning of a parcel from residential to agricultural in Church Wells.
Rocky Wright: Church Wells resident does not want agricultural zoning.
Charlie Saba: addressed the issue of re-zoning and property rights.
Travis Holmes: stated his views on property owners, and their rights to provide for their family.
Dell Timpson: stated his desire to house his horses on his property and offer trail rides for the 'western experience' to the public. Rides are conducted at Amangiri Resort.
Mary Craven: a resident of Johnson Canyon, stated her concerns on the flooding in Johnson Canyon. She feels that the vegetation blocking the water flow is a big cause of the flooding.
Ed Sheridan: a resident of Johnson Canyon voiced his concerns on the flooding and damage to crops and property in Johnson Canyon.
Roger Holland: resident of Johnson Canyon addressed his concerns on the 17 floods this year, and the damage to the bridges due to sediment redistribution caused by the Johnson Canyon Flooding. He is unable to access his property at times, as his culverts keep filling up. It is costing a lot of time and money to keep cleaning these out. He is a geologist by profession.
John Scribner: a resident of Johnson Canyon is concerned with the silt deposits filling up the openings under his concrete bridge and the efforts and money being needed to keep this silt cleaned out.
Roger Holland: also commented on the sand content of the silt from the flooding.
James Holland: commented on the factors causing the flooding in Johnson Canyon, mainly the willows and their obstruction of water flow. He is also a geologist by profession.
Bruce Bunting: A resident of Johnson Canyon addressed his concerns on the flooding in Johnson Canyon and the filling up of the wash.

Jeff Johnson: Former owner of the Skutempah Ranch gave some history of the Johnson Wash and the relationship to some of the flooding problems going on now.
Gregg Metcalf: a resident of Johnson Canyon reported that he has had to spend a couple of thousand dollars yearly on the flooding damage in Johnson Canyon, for the past ten years.
Mike McCormick: a resident of Johnson Canyon addressed the damage to property from the flooding.
Roddy Metcalf: a resident of Johnson Canyon made comment on the flooding damage and degrading of the land, caused by the Johnson Canyon flooding.
Mary Craven: commented on the past beetle release, and doubts that it has done any good.

Elected Officials Report:

Discussion on the Johnson Canyon Flooding/ Commissioner Clayson

Commissioner Clayson addressed the issue of the Johnson Canyon flooding and the damage it has been causing. He reported on several entities which are looking into ways to solve or help with this problem. The county is in an investigative phase on this problem, and property owners may need to also look to experts for a solution. He stated three areas that may remedy some of the problems and offer solutions. #1- Silting, #2- Vegetation conditions and chanelling of water, #3- Gauge points to help maintain management, funding, and etc. Commissioner Heaton addressed some of the historical factors that he feels impacted the current problem of flooding downstream in Kanab Creek and also in Johnson Canyon. This is a private property issue, Sheriff Tracy Glover reported ongoing investigations on changes made at the Skutempah Ranch that may be contributing to the current problems.

Presentation on Utah Land Use Institute Oct. 22, 2014 (Property Rights vs. Police Power)

Commissioner Clayson suggested that this item will be continued at the next work meeting.

Departmental Reports:

Zone Change; From Residential-1 to Agricultural; Dell Timpson, property owner, Parcel #120-1, 1975 N. Consumer St. Church Wells, Utah

Zone change from Residential to Agricultural was presented by LUA Shannon McBride. Opposition and support was addressed, including letters, maps, and etc. A discussion ensued.

Motion was made by Commissioner Clayson to re-open the Election Canvass

Clerk/Auditor Karla Johnson announced the results of the county race for school board member in District 4, and there is still a tie vote. A re-count is being requested for that vote only. A re-count will be done, and results will be reported at the Kane County Commission Meeting on November 24th.

Motion to postpone the Election Canvass definitely until November 24th at 10 am was made by Commissioner Heaton, and the motion carries with all commissioners present voting in favor.

Lot Joinder, Greg B Winter- Property Owner, Zion View Estates, Lots 3&4, Unit E

Shannon McBride reviewed the Lot Joinder request for Lots 3 & 4, Unit E, in Zion View Estates.. A map of the properties/lots was presented and reviewed. A discussion ensued.

Vacating Lots; Newell Brent & Susan Carter, Property Owners, Zion View Mountain Estates, Unit E, Lots 87, 88, 89

Shannon McBride presented the vacating of the above mentioned lots in Zion View Mountain Estates. The item was reviewed.

Lot Joinder, Charles K & Patricia K Beckstead, Trustees of the "Beckstead Family Trust 11-15-13", Elk Ridge Estates, Phase I, Lots 13 & 14

Shannon McBride addressed the request for the above mentioned Lot Joinder in Elk Ridge Estates, and the item was reviewed.

Lot Line Adjustment; Paul O & Lea R Green, Trustees of the "Paul & Lea Green Revocable Trust 10-5-89"; Elk Ridge Estates, Unit 4, Phase I, Amended, Lot 97

A Lot Line Adjustment was presented by Shannon McBride, and the adjustment was reviewed and discussed.

Lot Joinder; John & Annette McCarthy, Trustees of "Annette S McCarthy Qualified Personal Residence Trust 6-4-08", Elk Ridge Estates, Unit 3, Lots 26 & 27

Shannon McBride presented the above mentioned Lot Joinder, and the item was reviewed.

Amending a Subdivision Plat; Duck Creek Partners, LLC, Stewart Duck Creek Subdivision, containing 16 Lots and 24.4 Acres

Ed Robbins and Shannon McBride addressed the new subdivision plat. Details were reviewed, and a discussion ensued.

Rural Unimproved Subdivision; Larry Barnes, property owner, Jump Up Canyon Subdivision, Parcel 9-6-30-6A

The requested Rural Unimproved Subdivision for Jump Up Canyon was presented by Shannon McBride, and the item was reviewed.

Review Resolution 2014-24, Amending the Kane County Resource Management Plan, Section 1-4

LUA Shannon McBride explained the changes and edits to the Kane County Resource Management Plan, Section 1-4, and a discussion ensued.

Review Ordinance 2014-20, Amending Kane County Land Use Ordinance, Chapters 1 & 5

LUA Shannon McBride reviewed the changes to Chapters 1 & 5 of the Kane County Land Use Ordinance. A discussion ensued.

Other Business:

- Commissioner's Meetings and Schedules were updated, compared, coordinated, and assigned.
- A cattle-guard will be ordered for the entrance of the North Event Center as soon as possible.
- Commissioners will take a field trip to view the Johnson Canyon flooding area.

Whereupon Meeting was adjourned.

Commission Chair Douglas K Heaton

Clerk/Auditor Karla Johnson