

MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' WORK MEETING/ REGULAR MEETING
MARCH 16, 2015
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

The items listed under Consent Agenda will be considered as a group and acted upon by one motion with no separate discussion of said items, unless the Commission so requests. In that event, the item will be removed from the Consent Agenda for separate discussion.

The Commission meeting will begin at **9:00 am**

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

Also Present: Fire Warden Earl Levanger, LUA Shannon McBride, Sheriff Tracy Glover, HR Rhonda Gant, Roads Bert Harris, C&S/Srs. Craig Hansen, GIS Lou Pratt, and Byard Kershaw.

CALL MEETING TO ORDER: Commissioner Douglas K Heaton

PRAYER: Commissioner Douglas K Heaton

PLEDGE OF ALLEGIANCE: Commissioner James Matson

WELCOME: Commissioner Douglas K Heaton

WORK MEETING:

Cedar Mountain Fire District Bylaws and Board Appointments

Commissioner Heaton and Attorney Rob VanDyke commented on the Cedar Mountain Fire District. One Board Member has resigned and another may resign. Attorney VanDyke found that they are an independent body, and have the ability to amend their own charter. The Commission feels that they are under good management and are comfortable with their ability to control their own District.

Discussion: Impact of the Supreme Court decisions allowing federal agencies to make decisions without public input

Commissioner Heaton addressed this item. There were questions that needed clarification, and a discussion ensued. Attorney VanDyke explained that this has to do with the Administrative Procedures Act and the defining of legislative rule and interpretive rule of Federal Government entities.

Eight Hour Ozone Regulations

Commissioner Clayson presented a chart showing the Environmental Protection Agency's present and proposed standards for air quality, and the effects on human health. The present standard is 75, but a change to a 65-70 standard is being considered. Some Utah counties, including Kane County, might not be in compliance with a new standard. Businesses and Industry would be most affected by this change. A discussion ensued.

Report on Achievements and Goals of the Kane County Wildland Fire

Fire Warden Earl Levanger reported on Fuel Reduction Projects being done on Cedar Mountain in 2014 and 2015. He presented a slide show detailing some of this process such as the clean up and chipping of logging debris, mulch-fest (mulch production), and reseeding the land. This method is preferable to cutting, piling and burning the debris. Demonstrations of big equipment performing cleanup and chipping were shown in the slide show presentation. These projects not only serve as fuel reduction for fires, but also allow for new tree growth. Some of the cleared and cleaned up properties will serve as demo lots, encouraging property owners to participate in lot cleanup.

Rural Unimproved Subdivision, Arthur N. Manteris, Property owner, Bryce View Estates II

LUA Shannon McBride presented the desire to vacate and re-do this subdivision to include more lots. All easements are in place and approved.

Lot Line Adjustment, Vacating 7.50 ft. Utility Easement, Brent and Susan Carter, Property Owners, Zion View Mountain Estates, Unit E, Lots 87 & 88

LUA Shannon McBride reviewed this Easement.

Rural Unimproved Subdivision, Dalco LC, Brent and Bruce Williams, Paunsaugunt Ranches Parcels 8-6-23-6, 8-6-23-7, 8-6-23-8, 8-6-23-11, and 8-6-23-12

LUA Shannon McBride addressed this item. Records are being checked and notices sent, to make sure that no burials have been performed on the designated cemetery lots in this subdivision.

Kane County Resource Management Plan, Revisions, Section 7 and 8

LUA Shannon McBride presented the changes and corrections to this plan, such as: punctuation corrections, language clarification, updating codes, and etc.

Waters of the US Guidance Documents

Commissioner Clayson addressed this item, and Attorney VanDyke explained new changes to the proposed definitions of navigable waters. A discussion ensued.

Kane County E-mail Policy

Commissioner Heaton asked Attorney VanDyke about e-mail usage and privacy concerning county e-mails. Kane County has no retention policy at this time. However, e-mails pertaining to potential litigation are required to be retained. A discussion ensued.

Alton Road Update

GIS Lou Pratt reported on the Alton Road repairs still to be finished. Kane County is working with Carey Monroe, of Jones and DeMille Engineering, on this project. A discussion ensued on the timely repair and chip sealing of this road, and the money needed to finish the project.

Other Business:

Reports on the Kodachrome Bridge-repair project funding, Johnson Canyon flooding issues, the Cedar Mountain Township Act, Slide Canyon mileage, and the proposed Grand Canyon Watershed National Monument were some of the items discussed.

Motion to Enter Closed Session was made by Commissioner Clayson, with all Commissioners present voting in favor.

CLOSED SESSION:

Present: Commissioner Douglas K Heaton, Commissioner Dirk Clayson, Commissioner Jim Matson, Clerk/Auditor Karla Johnson, Sheriff Tracy Glover

- Strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property
- Contract Negotiations

CLOSED SESSION ADJOURNS and **WORK MEETING RESUMES** at 1:00, at the call of the Chair.

Division of Wildlife Resources- Updates and Reports on Highway 89 Fence Project and Other Item Updates

Kevin Bunell, Division of Wildlife Regional Supervisor and Richard Hepworth, DWR Southern Region Aquatic Manager updated some projects in Kane County. The Jackson Flat Reservoir Fishery Management Plan was addressed. Mr. Hepworth reported that the reservoir is now being stocked with fish. The Navajo Lake project was reported on. This project is moving slower than expected. Mr. Bunell also reported that the Highway 89 deer fencing project has been deemed a success. Reports, studies and statistics on this project will be forwarded to the Commissioners.

Motion to Exit the **Work Meeting** and Enter into a **Regular Session** was made by Commissioner Matson, and the Motion carries with all Commissioners present voting in favor.

REGULAR MEETING:

Letter to the Grand Staircase Escalante National Monument regarding analysis of the Management Situation

Deputy Attorney Kent Burggraaf addressed this item. The Bureau of Land Management for the Grand Staircase Escalante National Monument came out with their analysis of current management for grazing. This was given to Cooperating Agencies to review and provide input. Attorney Burggraaf expressed the need to draft a formal letter, issued by the Commission, informing the BLM for the Monument that the county is planning on reviewing the analysis for consistency with our current plans and ordinances. We are requesting more time for this review, and will submit the review back to them by April 13th.

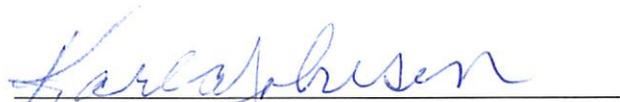
Motion to draft and send the BLM a letter requesting additional time, until April 13th to prepare our comments on the analysis of the management situation, and to empower Commissioner Matson to sign the letter in the Commission Chair's absence, was made by Commissioner Matson. The Motion carries with all Commissioners present voting in favor.

Regular Session Adjourns, and Work Meeting Resumes at the call of the Chair.

Matt Brown addressed the proposed Kanab Civic Center project. He presented a slide-show detailing some of the proposed changes, renovations, and new additions to the present site. A discussion ensued.

WHEREUPON MEETING ADJOURNED


Commission Chairman Douglas K Heaton


Clerk/Auditor Karla Johnson