

**MINUTES**  
OF THE KANE COUNTY  
BOARD OF COMMISSIONERS' MEETING  
OCTOBER 26, 2015  
IN THE KANE COUNTY COMMISSION CHAMBERS,  
76 NORTH MAIN, KANAB, UTAH

**9:00 A.M. Work Meeting**

Welcome: Commissioner Douglas K Heaton

Prayer: Commissioner Dirk Clayson

Pledge of Allegiance: Commissioner Heaton

Announcements:

Public comment:

Charlie Saba- reported the correct time for the Kanab City Meeting.

Commissioner Clayson-reported on the Tax Payers Association Meeting.

Present: Commissioner Douglas K Heaton, Commissioner Dirk Clayson, Attorney Rob VanDyke, Clerk/Auditor Karla Johnson, Chief Deputy Clerk Keiren Chatterley, Deputy Clerk Linda Millett and Sunews Reporter Carol Sullivan. Commissioner Jim Matson is excused.

Also Present: KCEA Dave Owens, GIS Lou Pratt, TC Ken Gotzenberg, HR Rhonda Gant,

**Consent Agenda:**

**Legislative Action** Approve Consent Agenda, and Minutes of September 23, 2015-  
BOE Protest Extraction Report & Minutes

Motion to Approve the Consent Agenda as published was made by Commissioner Clayson, and the Motion carries with all Commissioners present voting in favor.

**9:00 AM Work Meeting:**

**Administrative** Records Officer Discussion on GRAMA

This item was cancelled.

**10:00 AM Regular Meeting:**

**Legislative Action** Adopt Tentative Budget

Clerk/Auditor Karla Johnson presented the Tentative Budget for 2016. At this point, the budget is balanced. Any adjustments will be made before the end of Dec. to finalize the budget for the new year. A discussion ensued.

**Motion** to accept the tentative budget as presented was made by Commissioner Heaton, and the Motion carries with all Commissioners present voting in favor.

**Legislative  
Action**

**Adopt Resolution R-2015-22, a Resolution of Appointment of a Kane County Representative and an Alternate Representative for the Utah Counties Indemnity Pool Annual Membership Meeting**

Clerk Auditor Karla Johnson explained the need for renewal for Representative Bill Cox, and also for Mark Whitney. Karla Johnson will remain the voting member, with Commissioner Matson as alternate from Kane County.

**Motion** to Adopt Resolution R-2015-22, a Resolution of Appointment of Kane County Representative and Alternate Representative for the Utah Counties Indemnity Pool Annual Membership Meeting, was made by Commissioner Clayson. The Motion carries with all Commissioners present voting in favor.

**Legislative  
Action**

**Victim Services Update**

Victim's Advocate Naomi Sarai Brinkerhoff and Attorney Rob Vandyke updated the work being done to help victims of any crime. It has been a year since the Attorney's office took over the VA program. With the continuing training and certification of Sarai Brinkerhoff, Devin Shakespear, Vickie Hooper and Lanell Dove, Kane County now has 5 Victim's Advocates. Devin Shakespear has now entered the PATH/Indigent information into the Spillman program. This allows the ability to look up those receiving help from Kane County. Coordination with the Attorney's office, Sheriff's office, and the community's religious organizations assures that the participants are not overusing or abusing the system.

**11:00 AM**

**Time Certain Item:**

**Legislative  
Action**

**2016 Employee Health Plan**

KCEA Dave Owens and other Insurance Committee members joined those at the table to present the proposed United Health Care insurance coverage to Kane County employees. United Health Care offered the best coverage for the lowest bid. They are offering a fully insured, 2 year plan with a

7% cap on the second year. It has a wellness plan, and a help plan. Dave Owens explained some of the coverage options, increase in co-pay dollars, plan changes, and etc. Deductibles will remain the same as the current plan. Karla Johnson reviewed the increase in yearly costs, Obama Care tax, and other costs/ differences that will occur with the change. It will be beneficial to go back to a self-insured plan when possible, but UHC appears to be the best option found at this time. There is a 2<sup>nd</sup> Option for couples, but may include extra payment.

**Motion** to approve the health plan proposed for moving to UHC & 2V plan, a fully insured plan, was made by Commissioner Clayson. The Motion carries with all Commissioners present voting in favor.

**Legislative  
Action**

**Proposed Changes to Employee Dental Plan**

KCEA Dave Owens reported that white composite fillings are now covered, in place of the amalgam fillings.

**Legislative  
Action**

**Lot Joinder, Mark Jones, Zion View Mountain Estates, Unit C  
Lots 88 & 89, New Lot 89, and vacate a 10 foot utility Easement**

LUA Shannon McBride and Engineer Tom Avant reported that all is in order for the adoption of this easement.

**Motion** to Approve the Lot Joinder, Mark Jones, Zion View Mountain Estates, Unit C Lots 88 & 89, New Lot 89, and vacate a 10 foot utility Easement was made by Commissioner Clayson, and the Motion carries with all Commissioners present voting in favor.

**Legislative  
Action**

**Zone Change: RAH Ridge, LLC, Parcels #1-9-14-3 and 1-9-13-  
change from Ag to R-1**

LUA Shannon McBride presented Zone Change: RAH Ridge, LLC, Parcels #1-9-14-3 and 1-9-13-5 Action change from Ag to R-1.

**Motion** to Approve Zone Change: RAH Ridge, LLC, Parcels #1-9-14-3 and 1-9-13-5 Action change from Ag to R-1. Was made by Commissioner Clayson, and the Motion carries with all Commissioners present voting in favor.

**Legislative  
Action**

**Zone Change: Zion Mountain Land Holdings, LLC Parcel #1-9-13-4;  
change from C-2 to R-1 change from C-2 to R-1**

LUA Shannon McBride presented Zone Change: Zion Mountain Land Holdings, LLC Parcel #1-9-13-4; change from C-2 to R-1.

**Motion to Approve Zone Change:** Zion Mountain Land Holdings, LLC Parcel #1-9-13-4; change from C-2 to R-1 change from C-2 to R-1 was made by Commissioner Clayson, and the Motion carries with all Commissioners present voting in favor.

**Legislative  
Action**

**The Ranch at Zion, LLC, Parcel #1-9-14-4; change from Ag to R-1**

LUA Shannon McBride presented The Ranch at Zion, LLC, Parcel #1-9-14-4; change from Ag to R-1.

**Motion to Approve Zone Change for The Ranch at Zion, LLC, Parcel #1-9-14-4; change from Ag to R-1.** was made by Commissioner Clayson, and the Motion carries with all Commissioner present voting in favor.

**Legislative  
Action**

**Land Use Ordinance Revision: Chapter 21-9-218-4B**

LUA Shannon McBride explained the revision to the Land Use Ordinance Chapter 21-9-218-4B

**Motion to Approve the Land Use Ordinance Revision: Chapter 21-9-218-4B** was made by Commissioner Clayson, and the Motion carries with all Commissioners present voting in favor.

**Legislative  
Action**

**Report on "The Legalization of Marijuana in Colorado: The Impact"**

Attorney Rob VanDyke addressed the recent introduction of the recommendation for legalization of medical marijuana. The only proven benefit for medical marijuana is the component CVD extracted for use on epilepsy. He report on several statistics found in the Colorado study. Traffic related deaths doubled after legalization of marijuana. Also, use in a 30 day period after legalization of marijuana-increased by 32%. It is believed that legalization is favored to raise more tax monies. A recent vote on legalization of marijuana in Utah failed by 1 vote. It will be brought up again, and education to the public of marijuana usage statics is important to ensure an educated vote. A discussion ensued.

**Legislative  
Action**

**Statewide 6<sup>th</sup> Amendment Indigent Defense Issues**

Attorney Rob VanDyke reported on Indigent Defense Issues, and specific issues in Kane County. There is a claim that Justice Court representation is inadequate. An Amendment Center did a study of three counties, and Utah State also did a study on Indigent Defense. This is a State and National issue, and should not be put on the counties. Public Defender budget has been under the Attorney, but Attorney VanDyke is requesting it be under another department. Also, in choosing a person to fill the

Public Defender position, he would like a "formalized contract" for appeals, and accept applications or bids for attorneys on these appeals. He will write a contract if desired. A conflict with the public defender is now upon the Attorney, and he would like the Court Clerk to take over this rotation between attorneys. A contract for this service will also be written.

**Legislative  
Action**

**At Your Leisure/Chad Booth**

Chad Booth approached the table with an agreement between Chadwick Booth & Co. and Kane County, for coverage on the current season (8 episodes) of "At Your Leisure" and "County Seat- Season 6" for the coming year. The agreement coverage is much the same as last year, with improved coverage included by Channel 4 News. Kane County will attempt to better use this media for presenting county issues to the public. A corrected contract was presented for approval by the commission. A discussion ensued.

**Motion** to Approve the \$46,000 contract between "At your Leisure", , with Chadwick Booth & Co. and Kane County, contingent on identifying the source of funding, was made by Commissioner Clayson. The Motion carries with all Commissioners present voting in favor.

**Motion** to Approve the "County Seat-Season 6" agreement for \$44,000 as is, was made by Commissioner Clayson and the Motion carries with all Commissioners present voting in favor.

**Other Business:**

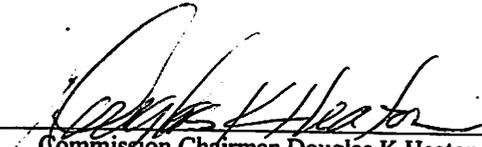
\*Schedules and Assignments were coordinated to assure that all areas of County concern and interest are well represented.

**12:00 PM**

**Closed Session**

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

WHEREUPON MEETING ADJOURNED

  
Commission Chairman Douglas K Heaton

  
Clerk/Auditor Karla Johnson