

MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
SEPTEMBER 14, 2015
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

Facilitator: Commission Chairman, Douglas K. Heaton

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

Also Present: Sheriff Tracy Glover, GIS Lou Pratt, Travel Council Ken Gotzenberg, HR Rhonda Gant, Roads Bert Harris, C & S Craig Hansen

9:00 A.M. Work Meeting

Welcome: Commission Chairman Douglas K. Heaton
Prayer: Commissioner Heaton
Pledge of Allegiance: Commissioner Matson
Announcements: Commissioner Heaton

The Alton Coal Mine Road was discussed. Heaton Brothers LLC has requested some information about modifications to new bypass road, and desire a Quiet Title be given to the County for this road. The Bypass Haul road needs to be complete by December 2016, to prevent long term haul use and possible damage of the Alton Road.

James Thomas Stevens, Bert Harris, and Lou Pratt were called to the table for a discussion on the Apache Loop Road in Swain's Creek. The continuing deterioration of the road was discussed, as access is becoming impossible on this road. Mr. Stevens told of improvements promised by the Kane County Water Conservancy District in 2009. County Commission reviewed meeting minutes from July 27, 2009 were reviewed. Instructions were given at that time stating that road needed to be brought up to county standards to receive county maintenance on private roads. A meeting with the Water Conservancy district was recommended.

10:00 A.M. Regular Meeting

Welcome: Commission Chairman Douglas K. Heaton
Announcements: Commissioner Heaton
Public Comment: Rhonda Gant reported on an e-cigarette presentation by Lexie Little, and commended the Commission on not allowing those kinds of shops in Kanab.

Consent Agenda:

Check Edit Reports

Bid Opening for Grader

Roads Dept Bert Harris presented 2 bids that were submitted on a Grader that is being considered by Kane County Roads Dept. One bid was from John Deere for \$94,495.00 including trade-in, and a bid from Wheeler CAT for \$21,152.00 including trade-in. Both guarantee trade-in in future.

Motion was made to Award Bid for Grader to Wheeler Cat Commissioner Heaton, and the Motion carries with all Commissioner Present voting in favor.

New Travel Council Board Member Appointment

Commissioner Clayson addressed the need for appointment of a new Kane County Tourism Tax Advisory Board Member. William Afiaki was recommended for the Kane County Tourism Tax Advisory Board Member Appointment.

Motion was made to appoint William Affiaki to the Kane County Tourism Tax Advisory Board by Commissioner Clayson and the Motion carries with all Commissioners present voting in favor.

Resolution R 2015-21, A Resolution of Support & Appreciation for 25 Years of Efforts on Behalf of Kane County by Merle Ireland

IT Dave Owens presented Resolution R 2015-21, a Resolution of Support and Appreciation for 25 years of Efforts on behalf of Kane County by Merle Ireland. She has provided countless hours of help to Kane County.

Motion to Adopt Resolution R 2015-21 A Resolution of Support & Appreciation for 25 Years of Efforts on Behalf of Kane County by Merle Ireland was made by Commissioner Matson, and the Motion carries with a Roll Call Vote as follows:

Commissioner Clayson.....Aye
Commissioner Heaton.....Aye
Commissioner Matson.....Aye

Approval of Kane County Logo Use for the 2015 Freedom Festival Advertising

Commissioner Heaton addressed the Freedom Festival, explaining its purpose and ideals. All day seminars, a concert, fundraising and other activities relating to Western Culture, Lifestyle, Heritage, Family Values and Freedom. In Cedar City on October 23, 2015. A donation of \$5000 is being requested.

Motion as made by Commissioner Clayson and the Motion carries with all Commissioners present voting in favor.

Amending/Correction to Land Use Ordinance, Chapter 5: 9-5-4:

Action Area, width and setbacks for Ag change from 5 Acres to "10 Acres" LUA
Shannon McBride requested a change....

Motion to direct the Clerk to Amend Ordinance 2013-5, Ag change and correct from 5 acres to "10 Acres" was made by Commissioner Heaton, and the Motion carries with all Commissioners present voting in favor.

Stout Canyon EWP Update

Deputy Attorney Kent Burggraaf and Bert Harris reviewed the Stout Canyon EWP Update, noting that the permits are all in place. A discussion ensued.

Cedar Mountain Catastrophic Fire Notice to the Dixie National Forest

Commissioner Matson reviewed this placeholder for the notification of Cedar Mountain Catastrophic Fire Hotspots in the Duck Creek and Swain's Creek areas. The Dixie National Forest will be notified of places of concern. Other surrounding counties are also providing Notifications of Hotspots in their Counties. Measures are being addressed to help clean up deadfall and other fire concerns, and response from residents and lot owners has been very successful.

Sheriff Vehicle Sale / Sheriff Tracy Glover

Sheriff Tracy Glover addressed the need to sell 6 vehicles from the Sheriff's Office. These vehicles will be sold at public auction, with revenue being put back into the Sheriff's Office. Bids are due by Friday Sept. 18th by 5:00 pm. The clerk/auditor will hold those monies in trust to be used for new vehicle purchases.

Motion for Kane County Sheriff to move forward with the Sale of these vehicles, with the clerk/auditor holding the monies in trust, was made by Commissioner Clayson. The Motion carries with all Commissioners present voting in favor.

Other Business:

Reports, appointments and schedules were reviewed discussed and coordinated to assure that all areas of Kane County business are well covered.

Closed Session

Motion to enter Closed Session, made by Commissioner Matson and the motion carried with all Commissioners Present voting in favor.

Present: Commissioners Douglas K. Heaton, Dirk Clayson, and James L. Matson. Clerk/Auditor Karla Johnson, Attorney Rob Van Dyke, Sheriff Tracy Glover was present for the first part, Lou Pratt was present for the second part.

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

Regular Session Resumed:

Motion to recognize that individual commissioner's activities and travel on RS 2477 roads for researching and gathering information, are considered official commission activities, made by Commissioner Clayson and the Motion carries with all Commissioners present voting in favor.

Discussion about the motion included a reliance on legal counsel and a review of liability concerns with each activity.

WHEREUPON MEETING ADJOURNED


Commission Chair Douglas K Heaton


Clerk/Auditor Karla Johnson