

MINUTES
OF THE KANE COUNTY BOARD OF COMMISSIONERS
MEETING HELD JULY 11, 2016
IN THE
KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

Present: Commission Chairman Dirk Clayson, Commissioner James L. Matson, Commissioner Lamont Smith, Clerk Auditor Karla Johnson, Attorney Rob VanDyke and Press Representative Carol Sullivan.

CALL MEETING TO ORDER & WELCOME:

Chairman Dirk Clayson

PRAYER: Commissioner Dirk Clayson

PLEDGE OF ALLEGIANCE: Commissioner Jim Matson

CITIZEN PUBLIC INPUT:

Will Janes inquired about the county posting the audio commission record to the state wide website.

REGULAR SESSION:

1. Approve the Consent Agenda:

- Check Edit Reports
- Approval of June 13, and June 27, 2016 Commission Meeting Minutes

Motion to approve the items listed in the Consent agenda, made by Commissioner Matson and the motion carried with all Commissioners present voting in favor.

2. Extra Miler Awards / Isis Smith, Keiren Chatterley / Commissioner Clayson

Commissioner Clayson presented an Extra Miler Award to Isis Smith and Keiren Chatterley thanking them for their work above and beyond what was required.

3. Rural Utah Counties Association / Peter Stirba

Peter Stirba, representing the Rural Utah Alliance (RUA), updated the Commission regarding a recent issue that sparked an interest to start a group that is specific to Rural Counties with respect to issues that relate to multiple rural counties. He also stated that the state has appropriated \$250,000 to develop this organization.

There are multiple federal regulations that apply to counties, and this group would provide one location for all the counties to access for information. It would also provide

a resource for expert council and litigation. RUA would also take an active lobbying roll to help rural counties.

Commissioner Clayson asked what determines "rural" for the Rural Utah Alliance, and what roll would Washington County take?

Commissioner Smith asked what counties would be involved, and if the group included all counties outside of the Wasatch Front.

Mr. Stirba said that while there may be differences between a Kane County issue and a Box Elder issue, there are also issues that have commonality between them. He further said there are political divisions within Utah Association of Counties, and this group will help counties to avoid the political divisions.

Commissioner Matson asked him to define the role of RUA in comparison with FIP and PLIPCO.

Mr. Stirba responded that FIP has had some changes with a current potential to revitalize it. However, FIP is narrow in scope and RUA is broader in scope, not just limiting itself to litigation.

Attorney Van Dyke expressed concern as to what the actual product RUA would provide was. He would like to have issue-by-issue case-by-case access. He also asked for clarification as to when and issue would fall under the \$5,000 membership vs. when additional charges would apply.

Commissioner Clayson asked if it would be a common practice to take issues that apply to multiple counties as a covered resource without separate billing. He asked if the funding was needed in the 2016 or 2017 year, and if the county needed to commit by the upcoming organizing meeting.

Mr. Stirba said that he has only verbal commitments from other counties at this point.

Motion to authorize Commissioner Matson up to \$5,000 to determine what Kane County Involvement and commitment would be, made by Commissioner Smith and the Motion carried with all Commissioner voting in favor.

4. Canvass of the Elections / Election Specialist Carol Lee Hunt

Election Specialist Hunt presented the overview and Canvass of the June 28, 2016 Primary Election for the Republican Party, Democratic Party, and the Non Partisan School District races.

Commissioner Matson thanked her for a job well done.

Motion: to Approve and Adopt the Canvass of Elections for the June 28, 2016 Primary Election, made by Commissioner Matson and the Motion carried with all Commissioners present voting in favor.

5. Tax Sale properties stricken off to county acceptance or denial of strike / Commissioner Clayson

Commissioner Clayson reviewed the properties stricken off to the county during the 2016 tax sale. The 5-acre parcels in Clark Bench were divided into 1/3 acre lots in the 1980's. He recommended grouping them together through the county land use ordinance. He further reviewed the laws regarding the "striking off" of the properties.

Motion to accept the properties stricken off to the county, made by Commissioner Clayson and the motion carried with all Commissioners present voting in favor.

6. Appointment of Board Vacancy for Cedar Mountain Fire District / Commissioner Smith

Commissioner Clayson read a letter from Frank Gagliardi, explaining that when a Special District takes longer than 90 days to fill a position then the county is required to fill the position.

Attorney Van Dyke clarified the law regarding the post 90 day guidelines, he verified that the county had posted the opening, which had been completed and only one applicant, Diane Adams, applied.

Motion to Appoint Diane Adams to the Cedar Mountain Fire District Board, 12/31/2019, made by Commissioner Smith and the Motion carried with all Commissioners voting in favor.

7. Appointment to the Tax Advisory Board / Jesse Riddle / Commissioner Clayson

Camille Johnson updated the Commission regarding Jessie Riddle who is the manager of Comfort Suites hotel. The Travel Council/ Tax Advisory Board recommended him for the board position after interviewing all applicants.

Motion to Appoint Jesse Riddle to the Travel Council /Tax Advisory board made by Commissioner Clayson and the Motion carried with all Commissioners present voting in favor.

8. County Heritage Celebrations MOU / Commissioner Clayson

Attorney Van Dyke is drafting the MOU on behalf of the counties participating.

9. Kane County Procurement Code /Attorney Rob Vandyke

Attorney Van Dyke is working on consistency between the Resolution adopting Sole Source Procurement, and the currently proposed Procurement Policy. The Procurement Policy will be adopted by ordinance and codified.

10. Open Meeting Policy /Attorney Rob Vandyke

Attorney Van Dyke updated the commission regarding open meetings. Executive duties do not fall under the open meetings act; the legislative duties do fall under the open meetings act. If you are unsure then default to an open meeting. If it is required to be done in Commission meeting then the discussion should be in Commission Meeting.

If the Commissioner individually has the authority to act then it does not need to be brought to a Commission meeting. He suggested that the Commission adopt a resolution regarding the authority of Commissioners acting over their individual duties. He recommends that the Commission bolster their duties, and identify if it is a department head duty or a Commissioner duty.

Discussion of Commission duties generated discussion about having more time to evaluate items on the agendas.

The Commission instructed the Clerk to prepare agendas by Wednesday at 5:00 PM. Replacing the previous instructions for preparing the agenda by Friday at 5:00 PM.

11. Special Districts

Commissioner Clayson requested more information about the Districts.

- East Zion Special Service District /Commissioner Dirk Clayson

Tabled until August.

The information that Commissioner Clayson would like is as follows:

- Who is on the Board
- Term Limits; Generally
- Board Positions
- Who Interviews and Appoints
- What Type of Entity Local or SSD? Who has Liability? And what is the County's level of liability
- Who audits and what type of audit is prepared.
- Compensation for board members
- If commission seat is required what voting or ex official or by agreement

- Supporting documents, charters, By Laws, and Key Meeting Minutes.
- County Direct Responsibility

- Canyon Land Improvement District (Commissioner Dirk Clayson)

Tabled until August

Closed Session:

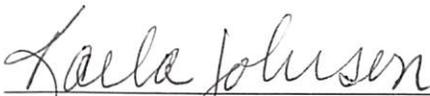
Motion to enter closed session for pending or reasonably imminent litigation, made by Commissioner Matson and the Motion carried with all Commissioners present voting in favor.

Present: Commission Chair Dirk Clayson, Commissioner James L. Matson, Commissioner Lamont Smith, Attorney Rob Van Dyke, Clerk/Auditor Karla Johnson

Meeting Resumed and Adjourned



Commission Chair / Dirk Clayson



Clerk-Auditor / Karla Johnson