

MINUTES
OF THE KANE COUNTY BOARD OF COMMISSIONERS
MEETING HELD AUGUST 8, 2016
IN THE
KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

Present: Chairman Dirk Clayson, Commissioner James L. Matson, Commissioner Lamont Smith, Attorney Rob Van Dyke, Clerk/Auditor Karla Johnson, and Deputy Clerk/Auditor Linda Millett.

CALL MEETING TO ORDER: Commission Chairman Dirk Clayson

WELCOME: Commission Chairman Dirk Clayson

PRAYER: Commissioner Smith

PLEDGE OF ALLEGIANCE: Commissioner Matson

PUBLIC COMMENT: Three (3) Minute Time Limit per Speaker for Public Comment.

Charilie Saba: Charlie voiced his concern with firearm use for nighttime hunting. He would like to see a punishment for those abusing firearm safety.

Don Sprecher: He defined the animals being hunted and the rules and regulations with the permits.

Adam Rogers: Mr. Rogers added that this also works as a barnyard ordinance for ranchers.

Connie Ball: She stated her concern with killing coyotes and predators that control rabbits, which are very populous this year.

CONSENT AGENDA:

Check Edit Report approved as signed, Minutes of July 11, 2016 Meeting, and July 26, 2016 Meeting.
Motion by Matson to Approve the Consent Agenda, and the Motion carries with all commissioners voting in favor.

REGULAR SESSION:

1 Ordinance O-2016-9, Nighttime Hunting

Commissioner Matson asked Sheriff Tracy Glover to present Ordinance 2016-9 Nighttime Hunting. Sheriff Glover explained that he was not the proponent of the Ordinance, but would not stop the adoption of the Ordinance. This Ordinance would allow the hunting of coyotes and other certain predators by spotlight. Attorney VanDyke reminded that today is to specify terms of the Ordinance. Don Sprecher stated that he hunts predators to help protect big game and ranch animals, and nighttime is when the predators are most active. Sherriff Glover would like to add some revisions to the Ordinance having to do with such items as: distance from homes or subdivisions, areas allowed for hunting, caliber of weapon, how much additional work this would add to his department, vehicle information to be included, and some other items. Commissioner Clayson stated his main concern is for safety issues more than the predator hunting. Permits would be available at the County Clerk's office, and then must be submitted to

the Sheriff to become valid. Modern technology now allows for this to happen. A discussion ensued. Attorney VanDyke was asked to write an ordinance for this item, which will be brought at a later date.

2 Kanab Based Wave Lottery Update

Commissioner Matson updated the Commission and public on the present status of the Kanab Based “Wave” Lottery. He reported that Phase 1 is a Simplification and Approval of Proposed Business Plan, which will be available for public review in September 2016. Phase 2 will move the online Permit System from Arizona Recreation Online Permit System to Recreation.gov. The transition should be completed by October, 2017. Phase 3 is a Development of a Paria Canyon-Coyote Buttes Special Management Area Activity Plan. Public outreach regarding development of the Activity Plan should be initiated in the fall of 2017.

3 Increasing Rural Unimproved Subdivision Fee from \$600 to \$1,000

LUA Shannon McBride addressed the Commission with a request to increase the Rural Unimproved Subdivision fee from \$600 to \$1,000. The current fee does not cover all cost of the engineering and there is additional time and effort put forth by the Land Use Authority, and an increase to \$1,000 has been recommended by the Land Use to deter these costs.

Motion to Increase the Rural Unimproved Subdivision Fee from \$600 to \$1,000 was made by Commissioner Smith, and the Motion carries with all Commissioners present voting in favor.

4 Adding Definition and Use of Subdivision Signs

LUA Shannon McBride explained the need for Adding Definition and Use of Subdivision Signs. We do not currently have a guideline for Subdivision Signs, and she feels that they should be included. These definitions would become part of the Land Use Guide. Direction was given to move forward on this item.

5 Zion Rim PUD Preliminary Plat

LUA Shannon McBride called Tom Avant and Lou Pratt to the table to review a newly proposed subdivision. There are no concerns with roads or land use. They recommended that this move on to the final plat.

Motion to move on to the Final Plat was made by Commissioner Matson, and the Motion carries with all Commissioners present voting in favor.

6 Ordinance O- 2016-4 An Ordinance Amending Portions of the Kane County Subdivision & Land Use Ordinances

Commissioner Clayson reviewed Ordinance O-2016-4, an ordinance amending portions of the Kane County Subdivision & Land Use Ordinances. Lou Pratt/ GIS will be over the roads and easements.

Motion to Adopt Ordinance O-2016-4 was made by Commissioner Matson, and the Motion carries with a Roll Call Vote as follows:

Commissioner Smith.....Aye
Commissioner Clayson.....Aye
Commissioner Matson.....Aye

7 BLM Planning Rule 2.0 Update

Commissioner Matson updated the Commission on BLM Planning Rule 2.0. He presented a letter from Steve Pearce, representing several counties in 5 local states desiring to be included in coordination with the BLM. Under FLPMA, the BLM is required to coordinate the land use inventory, planning and management activities of or for such lands with the land use planning and management programs of other Federal depts. And agencies and of the States and local governments within which the lands are located. LUA Mary Reynolds stated that Coordination is a must. Commissioner Matson was commended for his work on this matter.

8 Appointing New Member to Resource Development Committee - Kelly Stowell

Commissioner Matson announced the proposed appointment of Kelly Stowell as the new member to Resource Development. He has been working on trails in the county.

Motion to Appoint Kelly Stowell to the Resource Development Committee was made by Commissioner Matson, and the Motion carries with all Commissioners present voting in favor.

9 Ordinance O-2016-6, Amending Title 1 Chapter 8 of the Kane County Tax Sale Rules

Attorney Van Dyke reviewed Ordinance O-2016-6. This Ordinance Amends Title 1, Chapter 8 of the Kane County Tax Sale Rules. Attorney Van Dyke had compiled all of the Commissioners input and questions into the ordinance, and it was ready for adoption.

Motion to Adopt Ordinance O-2016-6 Amending Title 1 Chapter 8 of the Kane County Tax Sale Rules was made by Commissioner Clayson, and the Motion carries with a Roll Call Vote as follows:

Commissioner Smith.....Aye
Commissioner Clayson.....Aye
Commissioner Matson... Aye

10 Ordinance O-2016-7, Procurement Policy

Attorney Van Dyke presented Ordinance O-2016-7, a Procurement Policy. Roads Superintendant Bert Harris asked for clarification, to assure purchasing of equipment from state surplus. Sheriff Glover also had some concerns. A discussion ensued and some edits were added to the Ordinance.

The Commission resumed at 2:30 to review the edits in the Ordinance prior to approving it.

Motion to Adopt Ordinance O-2016-7, as reviewed, made by Commissioner Matson, and the Motion carries with a Roll Call vote as follows:

Commissioner Smith.....Aye
Commissioner Clayson.....Aye
Commissioner Mason.....Aye

11 Ordinance O-2016-8, Kane County Tax Sale Deferral Ordinance

Attorney Van Dyke addressed Ordinance O-2016-8, a Kane County Tax Sale Deferral Ordinance. This Ordinance has been discussed and reviewed previously.

Motion to Adopt Ordinance O-2016-8, was made by Commissioner Smith, and the Motion carries with a Roll Call vote as follows:

Commissioner Smith.....Aye
Commissioner Clayson....Aye
Commissioner Matson.....Aye

12 Posting Audio Meetings on the statewide website

Clerk Auditor Johnson reviewed the process of Posting Audio Meetings on the statewide website. She informed the commission that Kane County is a Special Local Public entity, as such Kane was required to upload the Public Notice of the meeting, Approved Minutes, and Handouts, on line but not audio recordings. However, after discussion about public access and a reduced GRAMA workload, Clerk Johnson said that it made sense to upload the audio recordings and she would begin doing so.

13 Commission Tasks and Assignments

Commissioner Matson addressed the current Commission Tasks and Assignments. He reviewed the Trilateral Responsibilities, as well as the individual Commissioner's tasks and responsibilities. Items were reviewed, and a discussion ensued. Schedules and Meetings were reviewed and assigned.

Meeting was recessed for lunch, and will resume at 2:00. See item 10 above.

Closed Session:

No Closed Session was needed at this time.

WHEREUPON MEETING WAS ADJOURNED



Commission Chairman Dirk Clayson



Clerk/Auditor Karla Johnson