

**KANE COUNTY
COMMISSION MEETING
AGENDA**



NOTICE AND AGENDA OF A MEETING OF THE KANE COUNTY COMMISSION

PUBLIC NOTICE IS HEREBY GIVEN that the Commissioners of Kane County, State of Utah, will hold a **Commission Meeting** in the Commission Chambers at the Kane County Courthouse, 76 N Main St., Kanab Utah on **MONDAY OCTOBER 3, 2016** at the hour of 10:00 o'clock a.m.

CALL MEETING TO ORDER
WELCOME
PRAYER
PLEDGE OF ALLEGIANCE

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

CONSENT AGENDA:

Check Edit Report approved as signed, Minutes of September 26, 2016 Meeting.

REGULAR SESSION:

- 1 Beekeeping Inspector / Rob Brinkerhoff**
- 2 Ordinance O-2016-13 Adding Pier Design to the Land Use Ordinance 9-1-7
 Manufactured Home Definition / LUA Shannon McBride**
- 3 Assessor's Office new position / Linda Little**
- 4 2.0 Coalition - Joint Action Litigation**
- 5 Other Business:**
 - Reports
 - Schedules
 - Assignments
 - Financial Report / John Livingston

Closed Session:

- Discussing an individual's character, professional competence, or physical or mental health.
- Strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property.
- Discussions regarding security personnel, devices or systems.
- Investigative proceedings regarding allegations of criminal misconduct.

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Karla Johnson at (435) 644-2458.

Agenda items may be accelerated or taken out of order without notice as the Administration deems appropriate.

All items to be placed on the agenda must be submitted to the Clerk's office by noon Tuesday, prior to the meeting

CONSENT AGENDA

MINUTES

MINUTES
OF THE KANE COUNTY BOARD OF COMMISSIONERS
MEETING HELD SEPTEMBER 26, 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 VanDyke, Clerk/Auditor Karla Johnson, and SUN representative Carol Sullivan

CALL MEETING TO ORDER Commissioner Clayson called the meeting to order and welcomed everyone

PRAYER Attorney Rob VanDyke

PLEDGE OF ALLEGIANCE Led by Commissioner Matson

PUBLIC COMMENT: No Public Comment.

CONSENT AGENDA:

Check Edit Report approved as signed, Minutes of September 12, 2016 Meeting,

Motion to accept the Consent agenda approving the items, made by Commissioner Matson and the motion carries with all Commissioners present voting in favor.

REGULAR SESSION:

1 Extra Miler Award

The Commissioners presented the Extra Miler Award to Dave Owens, thanking him for his service as he has been working from his hospital bed to make sure the county is functioning correctly. The public and county employees all gave Mr. Owens a standing ovation.

2 Strawberry Valley Road Right of Way / GIS-Transportation Lou Pratt

GIS Lou Pratt updated the Commission regarding the Rights of Way. The Right of Way does allow for chip sealing the road. There is an actual easement granted when federal highway monies are involved such as the Navajo Lake Road.

Angie Bullets was very helpful in putting this ROW together.

The RAC group has prioritized the ROW chip seal, but not funded.

Motion to accept the Right of Way grant as proposed by the Forest Service, made by Commissioner Matson and the motion carried with all Commissioners voting in favor.

3 Kane County Cares Organization / Sandy Kerr

Pastor Will Leonard, Sandy Kerr, and Volunteer Center Vicki Hooper presented the need to provide a program for local people similar to that of the PATH program for transients.

There would be a board, which would include the three of them. The participants would contract to pay the help back either by cash or volunteering services.

Commissioner Clayson asked what the county position was. He also suggested that they form a board that includes local religious leaders to set up policies that would control the use of funds.

The program financing for PATH is held in the County Trust Fund and they would like to have this program held the same way to allow for multiple donors and verification of use. They want to have the people exhaust all of their options first.

The Commission asked them to work through the process maybe even as a sub-committee of the Local Interagency Council. Let's try to get a think-tank to put together a refined system.

4 Adding Pier Design to the Land Use Ordinance 9-1-7 Manufactured Home Definition / LUA Shannon McBride

LUA McBride recommended the Pier Design to the Land Use Ordinance, the definition come straight from the allowed building codes. This would allow either the 6" concrete slab or the pier design.

Commissioner Clayson reviewed the requirements for modular homes and asked if it met all the building codes. Let us do more research and bring the topic back to the Commissioners.

5 Lot Joinder / Vacate Easement - Diane Lafontaine Meadow View Estates, Plat D Lots 11 & 12 new lot 11 / LUA Shannon McBride

LUA McBride updated the Commissioners regarding the lot joinder for Diane Lafontaine, Meadow View Estates, Plat D lots 11 & 12 new lot 11.

Motion to approve the lot joinder for Diane Lafontain, Meadow View Estates, Plat D lots 11 & 12 new lot 11, made by Commissioner Smith and the motion carries with all Commissioners present voting in favor.

6 Lot Joinder / Dwane & Sharon R. Jones-Strawberry Valley Estates Unit 4 lots 29, 30, 31, & 52 new lot 31 / LUA Shannon McBride

Motion to approve the lot joinder for Dwane & Sharon R. Jones-Strawberry Valley Estates Unit 4 lots 29, 30, 31, & 52 new lot 31, made by Commissioner Smith and the motion carries with all Commissioners present voting in favor.

7 Final Plat: Kendrick Rogers Palomar Estates Subdivision, Phase 2, Lots 1, 2, 3, & 4 / LUA Shannon McBride

The road into the subdivision is still a private road as the road is gravel.

Motion to approve the final Plat of Kendrick Rogers Palomar Estates Subdivision, Phase 2, Lots 1, 2, 3, & 4, made by Commissioner Matson and the motion carries with all Commissioners present voting in favor.

8 Resolution R-2016-11 Appointing 2016 UCIP Representative

Motion to approve R-2016-11 designating Karla Johnson and James L Matson as the alternate, made by Commissioner Matson and the motion carries as follows:

Commissioner Clayson	aye
Commissioner Matson	aye
Commissioner Smith	aye

9 Ordinance O-2016-12 Kane County Limited Purpose Local Government Entities Code

Attorney VanDyke updated the Commission regarding annual training for Board Members and annual procurement policies, and providing the annual financial statements to the Budget Officer.

Motion to approve O-2016-12 subject to changing “will” to “may” on the county performing the audit, and adding all the component units to the ordinance, made by Commissioner Matson and the motion carries as follows:

Commissioner Clayson	aye
----------------------	-----

Commissioner Matson aye
Commissioner Smith aye

10 Church Wells Special Service District Board Appointment

Motion to appoint Janette Neilson to the Church Wells Special Service District Board, made by Commissioner Matson and the motion carried with all Commissioners voting in favor.

11 Ratify Western Freedom Festival Agreement / Attorney Rob VanDyke

Motion to ratify the Interlocal Agreement for Utah's Celebration of Freedom and Lifestyles, made by Commissioner Smith and the motion carried with all Commissioners present voting in favor.

12 All Billing Issues –South Central / ITS Dave Owens

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

Present: Commissioner Clayson, Commissioner Matson, Commissioner Smith, Attorney VanDyke, Treasurer Blomquist, Clerk/Auditor Johnson, ITS Dave Owens, Budget Officer Livingston, Dispatch Supervisor Baird and Stacy Owens.

13 Other Business:

- Reports
- Schedules
- Assignments
- Financial Report / John Livingston

Closed Session:

- Discussing an individual's character, professional competence, or physical or mental health.
- Strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property.
- Discussions regarding security personnel, devices or systems.
- Investigative proceedings regarding allegations of criminal misconduct.

WHEREUPON MEETING ADJOURNED

Dirk Clayson Chairperson

Karla Johnson Clerk/Auditor

REGULAR AGENDA

ITEM #1

To the Kane County Commission:

We the undersigned request that the Commission consider appointing a county bee inspector.

The Utah Agricultural Code gives the County authority to appoint a bee inspector.

Title 4, Utah Agriculture Code, chapter 11, Utah Bee Inspection Act

4-11-5. County bee inspector -- Appointment -- Termination -- Compensation.

(1) The county executive upon the petition of five or more persons who raise bees within their respective counties shall, with the approval of the commissioner, appoint a qualified person to act as a bee inspector within their county.

(2) A county bee inspector shall be employed at the pleasure of the county executive and the commissioner, and is subject to termination of employment, with or without cause, at the instance of either.

(3) Compensation for the county bee inspector shall be fixed by the county legislative body.

(4) To be appointed a county bee inspector, a person shall demonstrate adequate training and knowledge related to this chapter, bee disease and pests.

Pollinators everywhere are in decline, and are critical in our food chain. It is increasingly difficult to maintain healthy honeybee colonies in the face of disease, parasites, pathogens and environmental risks bees are exposed to. In addition, due to the arrival of aggressive Africanized bees in Utah, we feel it is critical to monitor Kane County regularly so that action can be taken to protect citizens and visitors to the area, and also to educate beekeepers about best management practices to maintain gentle bee population. A county bee inspector is a critical resource to meet these objectives.

There are 9 state-registered beekeepers in our county and several more who are not currently registered. The number of beekeepers in Kane county is growing due to the recent popularity of beekeeping and the desire to help preserve and grow the pollinator population.

We have been in touch with the office of the State Apiarist at the Utah Department of Agriculture and Food (Joey Caputo, 801-538-4912). That office is happy to assist and answer any questions about this process and the inspector position.

We, the undersigned, respectfully suggest that Rob Brinkerhoff, 151 N Johnson Canyon Rd, Kanab, Utah, phone 435-644-8192, email rob.brinkerhoff@gmail.com be considered for this position. Rob currently keeps 250-300 honey bee colonies in Southern Utah.

Beekeeper Name	Address	Phone
CAROLYN SHELTON	4300 Red Cliffs Dr., Kanab, UT 84741	435-644-8103
Shanna Cram	359 N. 100 W. Kanab, UT 84741	435-689-0940
SUZANNE CONDT Suzanne Condit	865 S. HILLSIDE DR, KANAB, UT 84741	424-218-6262
RONALD R STANFORD Ronald R Stanford	1197 S VERMILION DR KANAB UTAH 84741	435-644-2669
Mike Hicks	938 W. Chamberlain Dr. Kanab UT 84741	435-899-9219

County Bee Inspector Job Description

Job Summary

Under general supervision of the State Apiarist performs some or all of the following types of duties: identifies diseases associated with bees and beekeeping. Recommends control measures for same, enforces Utah Bee Inspection Act and Regulations therein, assists in survey for Africanized Bee, disease, pests, parasites and pathogens, issues certificates for movement of bees and assists state to investigate bee poisonings.

Requirements

1. Time- Must be available from March through October to provide adequate inspection service; be available to issue bee movements throughout the year.
2. Physical effort- Requires moderate physical effort (lifting up to 70 lbs).
3. Travel- Requires travel throughout the county as necessary to perform bee inspections.
4. Education and Training
 - a. High school education or equivalent
 - b. Familiar with signs and symptoms of bee diseases/parasites/pests and their treatment options
 - c. Familiar with symptoms of bee poisoning by pesticides
 - d. Familiar with Africanized Honeybee biology, behavior and risks
 - e. Own or have owned colonies of honeybees
 - f. Familiar with seasonal management of honeybees

Working Knowledge of Bees

Includes but not limited to:

- Bee biology/colony organization
- Races of bees including AHB
- Location of apiaries
- Nectar and pollen plants
- Beekeeping equipment
- Management of honeybees
- Handling bees
- Pollination
- Honey harvest
- Laws related to beekeeping
- Pesticide poisoning of bees

Diseases/Parasites/Pests of bees:

- Mites: Varroa, tracheal
- Foulbrood: American, European
- Chalkbrood
- Nosema, viruses,
- Small Hive Beetle
- Wax moth rodents

ITEM #2

KANE COUNTY ORDINANCE NO. 2016 -13

**AN ORDINANCE AMENDING TITLE 9 CHAPTER 1 SECTION 7
OF THE KANE COUNTY LAND USE ORDINANCE**

WHEREAS, the Kane County Planning Commission and Kane County Board of Commissions desire to make recommended changes to Title 9 Chapter 1 Section 7 of the Kane County Land Use Ordinance;

WHEREAS, the Kane County Planning Commission, after a duly noticed public hearing, recommended for approval amendments to Title 9 Chapter 1 Section 7 of the Kane County Land Use Ordinance;

WHEREAS, the Kane County Board of Commissioners desire to implement the recommended amendments; and

WHEREAS, the Kane County Board of Commissioners, in a duly noticed public meeting, received the recommended amendments to Title 9 Chapter 1 Section 7 of the Kane County Land Use Ordinance and desires to enact the recommendations;

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF KANE COUNTY, STATE OF UTAH, ORDAINS AS FOLLOWS:

Title 9 Chapter 1 Section 7 of the Kane County Land Use Ordinance is amended as set forth in the following pages. Additions to the Ordinance are indicated with an underline, and deletions from the ordinance are indicated with a strike-through. Instructions to the codifiers are italicized and inside parenthesis.

This Ordinance shall take effect fifteen days from the date signed below.

A copy of this ordinance shall be deposited in the Office of the County Clerk.

The County Clerk is directed to publish a short summary of the ordinance with the name of the members voting for and against the ordinance, together with a statement that a complete copy of the ordinance is available at the Office of the County Clerk, for at least one publication in a newspaper of general circulation in the county, or as otherwise permitted and required by Utah State Law

**TITLE 9
LAND USE**

**Chapter 1
GENERAL PROVISIONS**

9-1-7: DEFINITIONS:

The following terms are defined for the purposes of this chapter as follows:

MANUFACTURED HOME: A residential structure conforming to HUD standards issued 1976 or later. Home is built on a steel undercarriage with removable wheel assembly designed for placement on a permanent foundation with six inch (6") reinforced slab; or an approved pier support system as defined herein and connected to the required utilities, which includes the plumbing, heating, air conditioning and electrical systems contained therein.

PIERS: part of the support system installed on foot pads under the main beams or perimeter of a manufactured home. Piers are complete with cap blocks and wood wedges. Piers are made from concrete blocks, steel or concrete stands.

----- End of Ordinance -----

This Ordinance shall be deposited in the Office of the County Clerk, and shall take effect fifteen (15) days after the date signed below.

The County Clerk is directed to publish a short summary of this Ordinance with the name of the members voting for and against, together with a statement that a complete copy of the ordinance is available at the Office of the County Clerk, for at least one publication in a newspaper of general circulation in the county, or as otherwise permitted and required by Utah State Law.

ADOPTED this 26th day of September, 2016.

ATTEST:

KARLA JOHNSON
Kane County Clerk

Dirk Clayson, Chair
Board of Commissioners
Kane County

Commissioner Clayson voted _____
Commissioner Matson voted _____
Commissioner Smith voted _____

ITEM # 3

ITEM # 4