

MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS MEETING
OCTOBER 28, 2013, At 10:00 AM IN THE
KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

Present: Commissioner Clayson, Commissioner Matson, Commissioner Heaton, Clerk Auditor Karla Johnson, Chief Deputy Auditor Carolyn McDonald, Human Resource Director Rhonda Gant, GIS-Lou Pratt, Land Use Authority Shannon McBride, Care & Share Craig Hansen, Road Supervisor Bert Harris, Travel Council Director Ken Gotzen-Berg,

CALL MEETING TO ORDER & WELCOME:

PLEDGE OF ALLEGIANCE: Commissioner Heaton

PRAYER: Commissioner Matson

CITIZEN PUBLIC INPUT -None

CONSENT AGENDA:

Check Edit reports and purchase orders as signed

Approval of Minutes: October 7, 2013 October 21st Work Meeting

Land Use:

- Lot Joinder within a Subdivision Plat- Clifford E. Johnson, Trustee, Johnson Family Trust, Property Owners; Amended Lots 36 & 37, New Lot 36 A, Zion View Mountain Estates Subdivision, Unit "E"; Submitted by TC Engineering, Tom Avant. Zone Change- Kevin & Ann Ballard; Veterinary Hospital-Boarding and Grooming Facility; Parcel #3-5-35-2
Rural Unimproved Subdivision- Seth Cooke Trustee, Saswatch Trust, Donna Witzel, Coral Mountain Village Subdivision; Lots 1-8.
Lot Joinder within a Subdivision Plat- David L. & Joanne V. Magaw, Property Owners; Amended Lots 54-56, New Lot 55A, Swains Creek Pines Subdivision, Unit 1;
Rural Unimproved Subdivision- Helga Bridge, Trustee, PubDunsunane Living Trust, Property Owner; Bridge Ridge Subdivision; 3 Lots, 10 Acres each;
Lot Line Adjustment- Barbara Irene Muns, Trustee, "The Muns Family Trust 8/9/05"
Property Owners; Lot 1 (Kearns) and Lot 35 (Muns), North Fork Estates Subdivision #1
Lot Joinder within a Subdivision Plat- Ronald R. & Donna L. Mcgregor, Trustees of the Ronald R. Mcgregor & Donna L. Mcgregor Family Trust 11/12/04, Property Owners; Amended Lots 560 & 561, New Lot 561, Swains Creek Pines Subdivision, Unit 3;
Amending Chapter 21, 9-21E-9, Vacating or Amending a Subdivision or Planned Unit Development Plat; (Clarifying Public Hearing).

MOTION to adopt the Consent Agenda made by Commissioner Heaton and the Motion Carries with all Commissioners present voting in favor.

MOTION to amend the Motion made by Commissioner Matson, to remove Chapter 21 and have it placed on the November 4, 2013 Commission Agenda.

MOTION to modify previous motion made by Commissioner Matson to approve the Consent Agenda excluding Amending Chapter 21, Vacating or Amending a Subdivision or Planned Unit Development Plat made by Commissioner Matson. Motion passes

REGULAR AGENDA:

Elected Official Reports:

Lot 70 VCE:

Commissioner Clayson explained that he had looked at the lot and there is a deep wash all the way through the length of the property. He recommended putting it up for sale for the price of taxes and other associated costs.

Clerk Auditor Johnson indicated that she would put an add in the newspaper and also contact the surrounding property owners, along with the individual who has expressed interest in purchasing the property.

MOTION to sell Lot 70 VCE for balance of taxes and fees on property made by Commissioner Heaton and the motion carries with all Commissioners present voting in favor.

Navajo Lake Road RA & MOA:

Commissioner Clayson explained that he had met with Christopher Longley and felt comfortable with most things, but there was concern with undefined exceptions. He requested that Lou suggest the Commission Chair execute the RA & MOA contingent on review by Attorney VanDyke

The work started this year with the surveying and will finish up at the end of next year. So the Calendar years involved would be 2013,2014, & 2015. At that time they will bid the project out. Our match will be \$46,000 next year. The balance will be "in kind" as much as possible, as it will be half a million dollars; which the county doesn't have in cash. The "in kind" work will have to be worked out with Bert.

A discussion ensued regarding the "in kind" work that would be involved and the availability of the Road crew to help. It was discussed that perhaps they would have to hire seasonal part time. He said that sometimes when they are busy maintaining county roads and the Contractor needs our help, it causes a conflict.

HR Director Rhonda Gant explained that for Seasonal Part Time can only work 90 days, this is without benefits. If they work more than that, they would have to be put on full time. However, they are eligible for overtime as a 90 day hire.

The county would maintain the road when it is complete, as they would then hold title to the road.

MOTION to enter into agreement with Federal Highways for purposes of paving the Navajo Lake Road from HWY14 to the top of North Fork Road and give the Commission Chairman latitude to review and look at contractual issues with Attorney

VanDyke and move forward for the 2013 through 2015 fiscal year made by Commissioner Matson

A discussion ensued regarding the priority on Roads.

Motion carries with all Commissioners present voting in favor.

Departmental Reports:

Alton Road Update:

Lou explained that as of Friday the pavement was completed up to where it cuts off to the upper Alton Road. The Engineers won't turn the traffic onto the road until it is signed and paint lines are applied. The project will resume in May of 2014 to be completed. The new turn out will be done by UDOT.

Commissioner Clayson requested pictures for a press release for the local paper.

Lou indicated that Barney trucking promised they would switch back to the new road and they will be notified when that happens.

Lou presented a change order that Western Rock to leave the project and they won't charge re-mobilization to return.

Other Business:

Reports: Commissioner Matson explained that he was still working with State Wild land & Fire group and working with Karla on the 2014 Budget.

Commissioner Clayson expressed appreciation for the work that has been done on the Budget.

Schedules: Commissioner Clayson will attend the Sage Grouse Meeting Thursday. Shannon McBride will be attending the Land Use Conference.

MOTION to enter Closed Session for after break made by Commissioner Matson.

Regular Session Resumed:

Commissioner Matson recommended that the Chair be authorized to review and sign the letter when application is submitted by Shawn.

Commissioner Matson suggested sending a letter to the BLM in response to their request to use Federal Funding on the Hole In The Rock Road and that the letter contain the consulting arrived at during closed session and the Chair authorize to execute the letter.

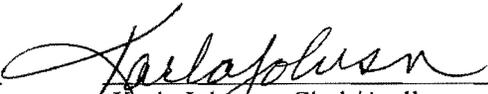
MOTION to send a letter to the BLM in response to their request to use Federal Funding on the Hole In The Rock Road and that the letter contain the conclusions arrived at during closed session and the Chair is authorized to execute the letter made by Commissioner Heaton and the motion carries with all Commissioners present voting in favor.

Next Meeting Nov. 4 Commission Mtg, Nov 18 Work Mtg., Nov. 25 Commission Mtg.

WHEREUPON MEETING ADJOURNED



Commissioner Clayson, Chair



Karla Johnson, Clerk/Auditor