

MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS MEETING
JANUARY 27, 2014
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

Present: Commissioner Douglas K Heaton, Commissioner Jim Matson, Commissioner Dirk Clayson, Clerk/Auditor Karla Johnson, Deputy Clerk Linda Millett, Deputy Attorney Rob Van Dyke, and SUN reporter Carol Sullivan.

Also Present: GIS Lou Pratt, Sheriff Lamont Smith, Police Chief Tracy Glover, Craig Hansen, LUA Shannon McBride, Ken Gotzen-Berg, Bert Harris, and HR Rhonda Gant.

CALL MEETING TO ORDER & WELCOME: Commissioner Heaton

PLEDGE OF ALLEGIANCE: Commissioner Matson

PRAYER: Commissioner Clayson

CITIZEN PUBLIC INPUT:

Tom Carter: was opposed to the Amicus Brief - item #12 on Agenda

Doug DeWitz: was opposed to the Amicus Brief

Herb Alexander: was opposed to the Amicus Brief

Tarie Hoverman: was opposed to the Amicus Brief

Charlie Saba: was opposed to the Amicus Brief

CaraLee Woods: was opposed to the Amicus Brief

Larry Eardman: was opposed to the Amicus Brief

Lance Jackson: asked for more information on the Amicus Brief

Kane County Attorney Rob VanDyke: feels that the Amicus Brief is appropriate and supports it.

Shannon McBride: agrees with the Amicus Brief and supports it.

Clerk/Auditor Karla Johnson: stated that we all need to be well informed.

Nick McCausland: asked for more information and detail.

Commissioner Douglas K Heaton: supports the Amicus Brief. He believes that society has a responsibility to support the good of the community.

CONSENT AGENDA:

Check Edit reports and purchase orders as signed

Approval of Minutes: January 13, 2014 Work Meeting and January 13, 2014 Regular Meeting

Motion was made by Commissioner Matson to adopt the Consent Agenda, and the motion passes with all commissioners present voting in favor.

REGULAR AGENDA:

Appointment of Church Wells Special Service District Board Members

Commissioner Heaton stated that four applicants were interviewed for the Church Wells SSD Board vacancies.

Motion was made by Commissioner Clayson to approve Christine Mock & Connie Kirk for these positions and the motion passes with all commissioners present voting in favor.

Care & Share and Senior Citizens Update

Craig Hansen reviewed the 2013 Annual Care & Share report. Grants and donations enabled some upgrades in 2013, and a few needs were addressed for 2014. Commissioner Clayson commented on the need, service, and efficiency of the Care and Share program in Kanab, Valley, and Big Water.

Five County Association of Governments Steering Committee Schedule

Commissioner Matson reviewed the meeting schedule for 2014. They will meet eight times in 2014, with the June 11th meeting being held in Kanab.

Escalante Region Grazing Zone HB382

Commissioner Matson presented a map of the grazing areas outlined in the Grand Staircase Escalante National Monument. A discussion ensued. Attorney Van Dyke and Commissioner Matson will review the state bill.

Retirement Services IRS Form 8905

Utah Association of Counties has deferred Retirement Service IRS Form 8905, an elective compensation plan for Kane County employees. Signing this document reserves the right to sign this plan, but does not obligate participation in the plan.

Motion was made by Commissioner Clayson to sign this time-sensitive document IRS Form 8905 effective today, and the motion passes with all commissioners present voting in favor.

Ordinance 2014-1 Amendments to Chapters 16 and 21 of the Kane County land Use Ordinance

LUA Shannon McBride & Attorney Rob Van Dyke reviewed submissions from last meeting. A discussion ensued. Commissioner Clayson requested some language changes.

Motion was made by Commissioner Clayson to adopt Amendments to Chapters 16 and 21 Land Use Ordinance 2014-1 with the additions discussed, and the motion carries with a roll call vote:

Commissioner Clayson	Aye
Commissioner Heaton	Aye
Commissioner Matson	Aye

Status Utah Association of Counties/Foundation for Integrated Preservation (FIP) Non-profit Update

Commissioner Clayson (Serving as Secretary of FIP) gave an update and review on his work with the FIP organization.

County Road Signing Update

A recreation map is being made showing the Kane County Roads, including the adjudicated roads. Lou Pratt reviewed the data from the BLM. Some conflict of signs will be addressed, corrections will be made, and signs will be put up to correctly identify open roads.

PILT Discussion and Update

Auditor Karla Johnson gave an overview of the PILT situation in Kane County. Commissioner Heaton explained what PILT is. For 2014, the federal government is not paying this subsidized PILT money, leaving each county to come up with this tax money on their own. This leaves Kane County with a 1 million dollar shortfall, and much energy is being spent to find areas to make up this shortfall.

Forest Service Regional Forester and Forest Supervisor's Motorized Travel Plan

Commissioner Heaton reviewed where Kane County stands on the Forest Service Travel Management Plan. Commissioner Matson reported on current meetings concerning this matter and a discussion ensued. Commissioner Clayson explained that the number of road miles does not tell the full story of road accessibility

Commission Tasks 2014

Commissioner Matson reviewed the responsibilities & projects as assigned for the 2014 year for each Commissioner. The Commission goals and suggestions for 2014 has one new addition.

Motion was made by Commissioner Heaton to adopt the 2014 Kane County Board of Commissioners-Coordination, Oversight & Projects, and the motion passes with all commissioners present voting in favor.

Join Amicus Brief in the Appealed 10th Circuit Court case regarding State Control of Marriage

Kane County Attorney Rob Van Dyke addressed the Amicus Brief in the Appealed 10th Circuit Court. Some counties have joined the Amicus Brief, which allows the voicing of opinions on certain issues. Enforcing the state's rights is at issue.

Motion was made by Commissioner Heaton to join the Amicus Brief and the motion passes with Commissioners Heaton and Clayson voting in favor, and Commissioner Matson abstaining himself in favor of leaving this matter to be decided at higher levels.

OTHER BUSINESS:

Kane County Sheriff Lamont Smith and Kanab City Police Chief Tracy Glover address the sale of abandoned vehicles.

Sheriff Smith addressed the disposing of abandoned vehicles obtained by law enforcement. Some of these vehicles have been destroyed by weather, rodents, and the passing of time and need to be destroyed. Crushing/shredding was suggested. There are also 10-12 vehicles which are operable and need to be sold. Sale by sealed bid was suggested. Attorney Van Dyke advised that a notice to the public should be submitted before disposing of any vehicles.

CLOSED SESSION:

Motion to enter closed session to discuss and individuals' character, professional competence, physical or mental health was made by Commissioner Clayson and the motion carried with all Commissioners present voting in favor.

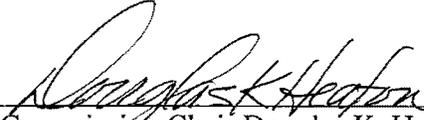
Present: Commissioner Douglas K Heaton, Commissioner Jim Matson, Commissioner Dirk Clayson, Clerk/Auditor Karla Johnson and Attorney Rob Van Dyke.

REGULAR SESSION RESUMED:

Discussion regarding the salary/wage of Judge Johnson ensued. Full benefits are part of the overall package offered to Judge Johnson but are not part of the salary determination as defined in the motion.

Motion to approve issuing an annual salary wage amount (not including benefits) for Judge Johnson not to exceed the limits suggested by the State Administrative Office of the Courts based on workload and not to exceed 25,000, was made by Commissioner Clayson. The motion carried with all Commissioners present voting in favor.

WHEREUPON MEETING ADJOURNED


Commission Chair Douglas K. Heaton


Clerk/Auditor Karla Johnson