

Saturday's honorees were on Thursday. Photo by Dennis Brunner

# Kane County Commission adopts new OHV ordinance

By Dixie Brunner

Ordinance No. 2005-3 concerning off-highway vehicles was unanimously approved at the August 22 Kane County Commission meeting. Commission Chairman Boone Hulet opened the meeting.

Commissioner Mark Habbeshaw explained at the public hearing that Garfield had recently adopted an ordinance and Kane County wanted one as well. The document, which was modeled after other rural counties, had good county support, according to Habbeshaw.

Grand Staircase Escalante National Monument Manager Dave Hunsaker presented a letter requesting that the commission not adopt the ordinance.

"The BLM supports recreational use," said Hunsaker. "But some OHV use does cause degradation." He respectfully requested that the commission work together with the Monument on the implementation of its own five year old land use plan.

Commissioner Ray Spencer asked if the Monument plan addressed or recognized the county's asserted Class B and Class county roads rights.

Road ownership and the RS2477 issue has long been a political volley between the county and federal land management agency, with it currently being litigated in court.

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Habbeshaw said until the issue is adjudicated, no law has been broken until the judge says so.

Hunsaker responded there was a 1,000 miles of roads open on the Monument, with 60 miles open for ATV use. He urged the commission to work with them on a single, consistent set of road numbers. "I'm asking the commission to take a reasonable action."

Habbeshaw said the county had already began implementation of signage, adding that if upon review they discover the road should be closed to ATV's, they will do so. "We've designated every road in this county open until we find out otherwise."

### Other commission news

• The following county residents were appointed to the county weed board: Frank Alleman, Brent Alvey, Bruce Bunting, Eric Esplin and Mark Spencer. They also constitute the Soil Conservation District.

• The appeal of the denial of a conditional use permit for Craig Rogers of RRZ Xtreme Faith Academy II LLC was postponed. The issue was concerning the construction of a boarding school on 12.7 acres near the Paria River/Cockscomb area off Highway 89, 30 miles east of Kanab.

• Public health payment. Hulet said that in order to not reduce services, the county's contribution to the Southwest Utah Public Health Department had increased. The contribution helps

assist in the provision of public health services such as immunizations to those in need in the county. Kane County's portion of the cost-shared service is \$27,615 annually.

• A county-wide fire district was discussed at the request of Emergency Services coordinator Dave Owens. He said the issue is borne from Kane County having multiple smaller fire districts, with varying degrees of staff, equipment and expertise. The thought is there could be resource sharing if a county fire district is created.

After a long-winded discussion, it was decided a committee of interested parties would be created to study the issue, taking into account everyone's interests and perspective.

• No action was taken concerning snow removal in Elk Ridge Subdivision on Cedar Mountain. Some homeowners wanted to take back their own snow removal.

• Voting Equipment Resolution R2005-11 was approved unanimously. Hulet said he wasn't thrilled with the county getting the new voting equipment, because he felt it was being shoved down the county's throat by the federal government. Some believe the new touch screens will create long lines at the polls, and that some people may be intimidated by the technology. "But we can't afford to do this on our own, and it must be implemented by next spring," said Hulet.

• The commission briefly adjourned to wait with great anticipation for the 6 p.m. tax increase hearing (see page 5).