



ELM - UT - 950

2008 JAN 14 AM

Kane County Commission

Mark W. Habbeshaw, Daniel W. Hulet, Duke Cox

76 North Main

Kanab, Utah 84741

(435) 644-4901

October 19, 2007

Edward B. Zukoski
Staff Attorney
Earth Justice

Re: Your clarification letter concerning your GRAMA request regarding the Bald Knoll Road

Dear Mr. Zukoski:

This letter is in response to your clarification letter of October 1, 2007 regarding your GRAMA request of September 13 for information concerning the Bald Knoll Road.

Louis L. Pratt Jr., the Kane County Transportation System Director, provided you with the 18 maps referred to in our letter of September 27, 2007. We have received your check dated October 1, 2007 in payment for copy costs in the amount of \$18.00.

In considering your narrowed GRAMA request (letter of October 1) omitting "construction, maintenance, and road repair activities" records on Bald Knoll Road after October 21, 1976 we would like to clarify, as stated in our letter of September 27, that it was not the practice of Kane County to document or record "construction, maintenance, and road repair activities" on county roads prior to 1977 when the hand written notebooks referred to in our previous letter were initiated by the Road Department Supervisor.

However, the Bald Knoll Road has been a County Class B road since, at least, 1965 as indicated on the "General Highway Map Kane County Utah 1965." That map has been provided to you per your GRAMA request. The Bald Knoll Road appears on the map as road #515. The map is related to your request for documents regarding "construction, maintenance, and road repair activities" as it documents that the County managed the road as a Class B public highway under provisions of the Utah Code at least as early as 1965. It was the custom of Kane County to routinely and regularly maintain and repair roads designated on the Class B system to Class B highway standards under provisions and requirements of the Utah Code.

We hope this letter adequately clarifies our response to your GRAMA request. If the County can be of any further assistance please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Mark W. Habbeshaw".

Mark W. Habbeshaw
Commission Chair

Attachment A