

LETTERS TO THE EDITOR

What is your opinion? This newspaper welcomes letters from its readers concerning any subject. Defamation of character or anything of a libelous nature or will not be considered for publication. Please limit your letters to 300 words or less. We reserve the right to edit for clarity or length. Letters must be signed and include your full name, address and telephone number. Limited to one letter per person per month.

Grateful

Dear Editor:

I would like to acknowledge and thank everyone who responded to the 911 call I had to make on behalf of my husband Jim on an early Saturday morning a week ago.

I am so grateful for, and I thank personally, everyone who helped Jim and I that morning. I do not know all the names of everyone who responded, but you know who you are and I will be grateful forever for your service.

Thank you Alan Aldredge for calming me down and giving me the hope I needed.

Thanks to all the staff at Kane County Hospital. A special thanks to Dilworth Perkins, you are always there for us. We love you for your spirit of service and kindness. Also, Alan Black and Dr. Burst, thank you for bringing Jim back to me.

I will always be grateful for all of you.

**Angie Bonham
Kanab**

Don't tether me

Dear Editor:

It is a common sight in Kanab, and all across America as well, to see dogs tethered (chained up at the neck) in the yard.

These animals are miserable, lonely, unable to move around, sometimes tangled into their chains, and often hungry and thirsty due to neglect. It isn't that their people intend to ignore them; it's just that their minds are on other things.

Dogs are special animals and require inclusion as part of their family. The question is why people get a dog in the first place if they are going to tether and punish it by banishing it to the yard. No one twisted the people's arm to get a dog.

Tied up dogs are unable to protect their people against robbers, vandals and the like. Tethered dogs are unable to escape when cruel people throw rocks or cans and set them on fire, and they can't avoid larger, meaner predators.

Dogs are companion animals; they want only to be with their people. It is a huge responsibility and sometimes a burden to give proper care and training to an animal. Low-cost services are

available. No matter the breed or size, any dog requires the same things that humans require, kindness and patience.

If given the chance, in time the dog will give a great deal of joy to all humans in the family. Whether it is too hot in the summer or too cold in the winter, it is always lonely out there, so why not have it trained and allow the dog to be part of the family?

Sincerely,
**Mimi Sato London,
visiting a friend in Kanab**

Thanks

Dear Editor:

Fredonia High School would like to thank all those who helped make their SUB-4-SANTA project a great success. With your help, we were able to make Christmas a little brighter for some deserving families in our area.

We would especially like to thank the following businesses and groups for their generous donations: Wingate, Escobars, Lynx Fuel, Grand Canyon River Expeditions, UT/AZ ATV Club, Coldwell Banker Advantage Realty, Lotsa Motsa Pizza, and Radio Shack. We could not have done it without you.

We would also like to recognize the students of FHS for the sacrifices they made to help others. It was a great experience.

Thank you as well to the following businesses for donating door prizes to our Christmas party: LaBella Salon, Duke's, Grandma Tina's, Radio Shack, Double C Outfitters, Canyon Book, Stephanie Clarkson and of course our great Lunch Ladies.

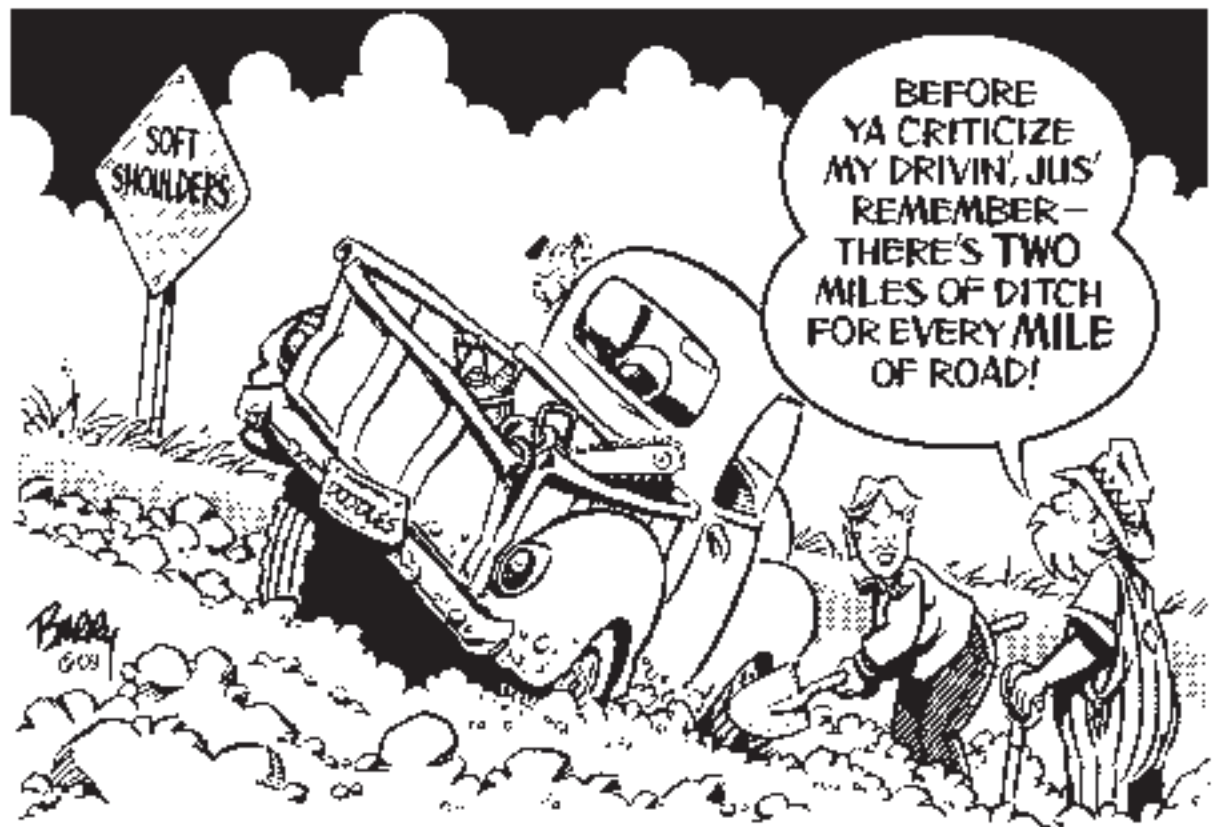
**Thank you all so much!
The Fredonia High School
Student Council**

Bad fit?

Dear Editor:

Having known and spoken with a number of management people at Best Friends – as well as the fact Mr. Berry had no experience running a not-for-profit corporation – why did it take so long to figure out it was a "bad fit?"

**Donald Gehre
Fredonia, AZ**



Gratitude

Dear Editor:

My special dog (Duncan) became suddenly critical over the holidays. He was rushed to Best Friends Clinic.

At the clinic he was treated with expert care, but he was unable to survive. With his passing I felt certain that everything possible was done to help him, and also keep him comfortable.

I must give a very special thanks to Dr. Deb for her compassion and expert care. After surgery, Duncan came home only to turn bad and having to return to the clinic. Dr. Deb met me at the clinic New Year's Eve in the middle of the night. She was there all night with my Duncan. I will never forget the professional care he received from Dr. Deb.

All the doctors at Best Friends worked very hard to help Duncan. When the time was clear, Dr. Tara helped him over the rainbow bridge with gentle compassion for me, as well as Duncan. Thank you so much.

I also need to thank Dr. Patti for her compassion and special care for my Duncan.

I must let the techs know that their professional care and compassion will never be forgotten. The care for me emotionally was so helpful to get through this very difficult time. Everyone at the Clinic seemed to well understand my state of mind and was able to help me through it.

Finally, Lenny, thank you for

placing Duncan with the same gentle care. I am sure only people who love their pets as I do, can understand how important this is to them.

I will be forever grateful to Best Friends Clinic and everyone involved in Duncan's care.

Ruthie Itow

Part 2-Snow removal and maintenance on roads across federally managed lands in Kane County

Dear Editor:

Last spring U.S. District Court Judge Tena Campbell affirmed the Department of the Interior and the BLM's long standing position that all unadjudicated roads across federally managed lands are not county highways and are to be administered as federal roads. That decision is being appealed.

Interior Secretary Bruce Babbitt created the controversy over highway jurisdiction 12 years ago when he directed federal land managers to ignore historic highway rights granted to states and counties by the U.S. Congress.

Because of Secretary Babbitt's direction and Utah BLM policy, the Monument plan and the Kanab Field Office plan currently deny local authority to manage highways across federally managed lands. Federal policy and

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Letters

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plans clearly state that federal land managers will "administer" the roads and freely decide which roads are closed and restricted.

Federal land managers have even attempted to turn historic county roads over to private individuals, by issuing federal permits to citizens to operate the county's highways. Federal land managers contend that if the county disagrees with these adverse actions, it can go to court. Federal land managers are trying to defeat the county's highway ownership because under R.S. 2477 authority, federal land managers would have to go to court to close or restrict a county highway.

The Tenth Circuit Court of Appeals in *SUWA v. BLM* acknowledged that most of the transportation system routes of the West were established under R.S. 2477 authority. Today, Interior and the BLM do not recognize any R.S. 2477 rights in Kane County, in the State of Utah or across the West. That failure evidences an abuse of federal power requiring court resolution.

Federal land managers publicly claim that the commission has "misinterpreted" the county's legal jurisdiction over highways, but are unable to provide the statutory authority allowing the county to manage and maintain highways across federally managed lands. In the absence of federal acknowledgment of highway jurisdiction or further court decision the highways are, as Interior claims, federal roads and, therefore, a federal responsibility.

Without confirmation of jurisdiction, the commission is unable to accept the criminal and civil liabilities of performing work or management functions on our historic highways across federally managed lands, until primary jurisdiction is settled.

Judge Campbell's pre-injunctive ruling created binding precedent on the commission prohibiting the exercise of highway authority prior to adjudication.

The commission can no longer rely on unadjudicated claims or assertions supporting R.S. 2477 authority. The unintended consequence is that all management and maintenance responsibilities for roads crossing federally managed lands belongs solely to federal land managers consistent with Interior's claimed jurisdiction over the roads. It is disappointing to witness the rapidly deteriorating condition of

our historic highways while they are temporarily court affirmed to be under federal jurisdiction because federal land managers have been unwilling to maintain the roads they claim to own.

Instead of recognizing the county's rights, federal land managers have offered the county two limited options that would "allow" the county to resume maintenance: FLPMA Title V permits and road maintenance agreements issued under federal jurisdiction. The commission does not intend to jeopardize the county's vested rights in return for temporary permits or uncompensated maintenance agreements.

Interior cannot reasonably expect the county to bear the incredible expense and liability of maintaining federal roads.

Federal land managers refuse to cooperate with the county in considering a multitude of legal options that could easily resolve the roads issue. Federal land managers have failed in their duty to issue administrative determinations and reportedly do not intend to recognize any R.S. 2477 rights. Interior will not initiate Disclaimers of Interest, which act as federal quitclaim deeds. Interior attorneys have challenged the county's ability to secure witness testimony through depositions, to secure Quiet Title, and to consider our established rights in federal planning. Interior is doing everything possible to redefine R.S. 2477 rights out of existence, and to defeat the recognition of any R.S. 2477 rights.

The commission is doing everything it can to preserve the county's congressionally granted rights. We are seeking Quiet Title, Non Binding Determinations (NBD), Recordable Disclaimers of Interest (RDI), State Recordation of highways, and Tenth Circuit Court of Appeals in two cases. The Tenth Circuit heard arguments in one of those cases last Wednesday and will be issuing a decision in a few months.

Federal land managers recently alleged the county is obligated to maintain federal roads with State Class B road funds and Federal Payment In Lieu of Taxes (PILT) funds. That allegation is unfounded. Class B road funds can only be spent on county roads and the county is required to certify jurisdiction over roads it spends the money on. Federal roads do not qualify as Class B roads. Interior has long denied the county's R.S. 2477 rights and is unable to provide the current jurisdiction enabling the county to certify jurisdiction over roads

simultaneously claimed to be under federal jurisdiction. PILT funds compensate the county for local impacts from federally managed lands. PILT funds are not allocated for maintaining federal roads.

Federal land managers have failed in their responsibility to recognize the county's congressionally granted rights. As a result, the county is in the process of permanently preserving our highway rights through the courts.

Visit the county's website at <http://kane.utah.gov/> for further information.

Mark Habbeshaw
Kane County Commissioner

Thank you

Dear Editor:

I would like to send a big thank you to whoever helped us out at Christmas. (You know who you are). Because of lay-offs, job changes, waiting for checks, etc., Christmas was pretty tight this year.

Two weeks before Christmas, the tree and home were bare. My older son earned some money and bought a few gifts to go under the tree. Right after that, we received some gift certificates and help from a few people and places – which helped us to have a very nice Christmas for our children.

Thank you from the bottom of our hearts. We appreciate your kindness and generosity so very much.

With love,
The Goble and Hancock
family

Impact fees no more

Dear Editor:

The Kanab City Council has done it again. They've decided in favor of developers over the interests of local taxpayers.

At the January 13 Kanab City Council meeting, the council voted to do away with building impact fees. What this means is that local taxpayers will be on the hook for the costs of new infrastructure.

The city council's decision is truly unfair. Many people have paid these impact fees over the past years in order to build their homes. They have fairly paid for the roads, water lines, and other city expenses needed to service their homes. Starting this year, builders won't have to contribute their fair share for this public expense.

It takes years of collecting impact fees to build a new street or install a modern sewer treatment facility. Now, there are no impact fees. Now, the burden of this expense will appear on our

property tax bills.

I want to extend a personal thanks to Councilwoman Nina Laycook. She was the only councilperson with the wisdom to vote against this ill-advised decision to do away with impact fees. Nina, thanks for looking after us taxpayers!

Sky Chaney
President ~ Taxpayer
Association of Kane County

No new county debt

Dear Editor:

Given the response of local taxpayers at the January 12 public hearing, and the public comments that our members have sent to the county commissioners, the TPA does not support the decision to borrow \$1 million at this time to fund a new county health clinic in Kanab.

Our organization has expressed concern that a significant portion of the large property tax increases we have experienced in 2007 and 2008 were caused by a considerable expansion of county health services. As a result, the current public health budget is over 500% larger than it was in 2006.

We feel that given the present economic uncertainty in the world, this is a poor time for our county health department to take on \$1 million worth of debt. National, state, and county governments are all struggling because of an economic crisis that may end up lasting for years.

If Kane County receives much less revenue in 2009, then it will be forced to either raise taxes or cut its budget. By deciding not to borrow this \$1 million, our county commissioners will have a better ability to reduce county public health spending if it becomes necessary.

How can we provide adequate public health services at the lowest cost to local taxpayers? The Taxpayer Association of Kane County wants our citizens to have these services available, but we want to explore ways to keep the cost down.

The Taxpayer Association proposes that Southwest Public Health and the Kane County Commissioners develop options for a more affordable delivery of public health services, rather than continuing an expensive expansion.

The Ad Hoc Citizens Budget Committee, local taxpayers who were selected by our county commissioners, actually recommended a sizeable reduction in the county health budget for 2009.

Given today's financial crisis where the rest of the world is cutting expenses in order to stay afloat, we recommend that the decision to create \$1 million of debt for Kane County be delayed until the economy recovers.

Executive Committee
Taxpayer Association of
Kane County

Kane County roads

Dear Editor:

I read both sides of the roads dispute in the *SUN* on January 7. I suppose from their own perspectives, there are legitimate points to be made by the BLM and Kane County. That's the reason we again find ourselves involved in costly litigation over the issue.

The real victims of this dispute are the residents and taxpayers of Kane County, who seem to find ourselves living in the only county in the western U.S. that has no road numbering system or published road map, and now no road maintenance or plowing.

I wonder why we are so different from our neighboring rural counties in this dispute over roads?

I sure hope this gets resolved soon by the courts and they tell someone that they are wrong and issue a meaningful order, so we can travel around our county safely again.

Jim Vann
Kanab

Snow angels

Dear Editor:

Thanks to our good neighbors, Don Sprecher and Earl Robinson, for plowing us out in the recent snow storms. Thanks for you angels.

The Leon Mulliner
Family

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