

RDA MEETING

PACKET

DATE:

February 11, 2025

AGENDA
KANE COUNTY REDEVELOPMENT AGENCY/ CRA
MEETING TO BE HELD TUESDAY, February 11, 2025 at 9:30 AM
IN THE COMMISSION CHAMBERS AT THE KANE COUNTY COURTHOUSE

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CONSENT AGENDA: Approval of November 12, 2024 RDA Minutes

REGULAR AGENDA:

- 1. Review/Action on the RDA Bylaws**
- 2. Discuss/Vote on RDA Vice Chair Position**

Closed Session

- Discussing an individual's character, professional competence, or physical or mental health.
- Strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property.
- Discussions regarding security personnel, devices or systems.
- Investigative proceedings regarding allegations of criminal misconduct.

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Chameill Lamb at (435) 644-2458.

Agenda items may be accelerated or taken out of order without notice as the Administration deems appropriate.

All items to be placed on the agenda must be submitted to the Clerk's office by noon Tuesday, prior to the meeting date.

CONSENT AGENDA

Approval of:

RDA Meeting Minutes for November 12, 2024

**MINUTES OF THE
KANE COUNTY REDEVELOPMENT AGENCY/ CRA
MEETING HELD TUESDAY, November 12, 2024 at 1:00 P.M.
IN THE COMMISSION CHAMBERS AT THE COURTHOUSE**

PRESENT: Member Kubeja, Member Heaton, Member Meyeres, Attorney Van Dyke (Absent), Clerk/Auditor Chameill Lamb, Deputy Clerk/Auditor Candice Brown, Keiren Chatterley

CALL MEETING TO ORDER & WELCOME: Member Kubeja

CONSENT AGENDA: Approval of September 24, 2024 RDA Minutes

Motion to approve the Consent Agenda made by Board Member Meyeres and motion carried with all Board Members present voting in favor.

REGULAR AGENDA:

1. Review/Approve the 2025 RDA Budget

Chameill stated that going through the projections for the TIF agreement for next year on what our portion to payout to the Zion Mountain Local Service District it doesn't look like there is going to be a whole lot that we are paying out this year for that TIF agreement. She proposes that we carry over the same numbers from last year. The budget last year was based off of \$100K broken down by percentages of what is allowed for each category.

Motion to approve the 2025 RDA Budget as presented made by Member Heaton and motion carried with all Members present voting in favor.

Member Heaton-aye
Member Kubeja-aye
Member Meyeres-aye

2. Review/Action on the RDA Bylaws

Item is tabled until Attorney Van Dyke has the chance to make the changes they requested.

3. Kane County Redevelopment Agency Resolution No. RDA 2024-2 a Resolution Establishing Rules of Order and Procedure

Member Kubeja stated that this does go in the bylaws, we will reference in our bylaws the Rules of Procedure when it comes to calling a meeting, noticing a meeting, and a quorum of a meeting. Attorney Van Dyke went through and tried to make it so it was adjustable as possible.

Motion to approve Kane County Redevelopment Agency Resolution No. RDA 2024-2 establishing Rules of Order and Procedure made by Member Heaton and motion carried with all Members present voting in favor.

Member Heaton-aye
Member Kubeja-aye
Member Meyeres-aye

Motion to adjourn made by Member Heaton and motion carried with all Members present voting in favor.

WHEREUPON MEETING ADJOURNED

Chairman Patty Kubeja

Secretary Chameill Lamb

AGENDA ITEMS

ITEM # 1

Review/Action on the RDA Bylaws

BYLAWS OF THE KANE COUNTY REDEVELOPMENT AGENCY

ARTICLE I – DEFINITIONS

- 1.1 **Definitions.** For the purpose of these by-laws the following words shall have the meanings as given herein:
- a. “Agency” means and refers to the Kane County Redevelopment Agency, a Utah redevelopment agency; a separate body corporate and politic of the State of Utah.
 - b. “Board” means the current individual members of the Kane County Commission as the legislative body of the County.
 - c. “County” means and refers to Kane County, Utah.
 - d. “Executive Director” means an officer of the Agency with all administrative authority of the Agency as described in Section 3.2.

ARTICLE II – THE AGENCY

- 2.1 **Name of Agency.** The name of the Agency is the “Kane County Redevelopment Agency.”
- 2.2 **Power of the Board.** The Board is the governing body of the Agency. All policy making powers of the Agency shall be exercised by the Board.
- 2.3 **Powers of the Chair.** The Chair shall exercise all executive and administrative powers of the Agency unless an Executive Director is appointed under Section 3.2. The Chair may also adopt executive policies consistent with policies adopted by the Board. A copy of all executive policies shall be provided to the Board within ten (10) days of adoption.
- 2.4 **Seal of Agency.** The Agency shall have a seal in a form which the Board shall approve.
- 2.5 **Office of Agency.** The office of the Agency shall be at 76 North Main, Kanab, Utah or such place in Kanab, Utah as the Board may from time to time designate by resolution.

ARTICLE III – OFFICERS

- 3.1 **Officers of the Board.** The Officers of the Board shall be a Chair and a Vice-Chair.
- a. **Chair.** The Chair the Board shall be appointed by the Kane County Commission and will preside at all meetings of the Board and shall sign all resolutions adopted by the Board. At each meeting the Chair shall submit such recommendations and information as the Chair may consider proper concerning the business, affairs and policies of the Agency.
 - b. **Vice-Chair.** One of the County commissioners (not the chair) shall be the Vice-Chair of the Board and will perform the duties of the Chair in the absence or incapacity of the Chair; and in case of resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such times as the Kane County Commission shall choose a new Chair.
- 3.2 **Officers of the Agency.** The officers of the Agency are the Executive Director, a Secretary, a Treasurer, a Finance Officer, and such other officers as may be determined by the Board. The officers of the Agency shall be appointed by and serve at the pleasure of the Board, subject to the terms and conditions of any Contract of Services with the County.

- a. **Executive Director**. The Agency may or may not appoint an Executive Director. In the event that an Executive Director is not appointed, the Chair shall complete the duties of the Executive Director. The Executive Director shall be the chief administrative officer of the Agency and shall have general supervision and management over the administrative affairs of the Agency, subject to all policies, rules, regulations and procedures adopted by the County or the Board and not in conflict with the terms and conditions of any contract of services with the County. The Executive Director shall sign all agreements, contracts, deeds and other instruments approved or authorized by the Board.
- b. **Secretary**. The Secretary shall be the Kane County Clerk. The secretary shall keep the records of the Agency. The records shall include minutes of the meetings of the Board and record of all votes, together with a journal of proceedings. The Secretary shall keep in safe custody the seal of the Agency and shall have power to affix such seal to all contracts and instruments authorized to be executed and shall attest the execution of all such documents. The Secretary shall also give notice of all regular and special meetings as provided in these bylaws, and as otherwise provided by the laws of the State of Utah. The Secretary may designate an Acting Secretary who may exercise the powers and duties of the Secretary in the absence of the Secretary. The Secretary shall provide other support to the Board as assigned.
- c. **Treasurer**. The Treasurer shall be the Kane County Treasurer. The Treasurer shall have the care and custody of all funds of the Agency and shall deposit the same in the name of the Agency. The Treasurer shall sign all orders and checks for the payment of monies under the direction of the Agency. The Treasurer may designate an Acting Treasurer who may exercise the powers and duties of the Treasurer in the absence of the Treasurer.
- d. **Finance Officer**. The Finance Officer shall be the Kane County Budget Officer. The Finance Officer shall pre-audit all expenditures or contracts of the Agency to determine if the funds are lawfully available within budgeted appropriations to fulfill the obligations thereunder. The Finance Officer shall keep regular books of accounts showing receipts and expenditures and shall render to the Agency when requested an account of all transactions and also the financial conditions of the Agency.
- e. **Additional Duties**. The officers of the Agency shall perform such other duties and functions as may from time to time be required by the Board of the by-laws of the Agency. An officer of the Agency may be appointed to fill more than one office.

3.3 Additional Personnel. The Agency may, from time to time, employ such personnel as may be necessary to exercise the powers, duties and functions of the Agency as prescribed by the Redevelopment Agencies Act of the State of Utah, or its successor provisions, and all other laws of the State of Utah. Unless otherwise provided in a contract of service with the County, the selection and compensation of personnel shall be determined by the Board, subject to the laws of the State of Utah.

3.4 Contract of Services with County. The Agency may contract with the County for the provision of various administrative services, including the provision of certain officers of the County who may be appointed by the Board to act as officers of the Agency.

ARTICLE IV – MEETINGS

4.1 **Annual Meeting.** The agency shall hold at least one annual meeting of the Board immediately preceding the first regularly scheduled Kane County Commission meeting of the year, or as soon as practical, in the County Commission Chambers, County Office Building 76 North Main Kanab, UT 84741. Notice of said meeting shall be given in accordance with Section 52-4-6, Utah Code, as amended.

4.2 **Regular Meetings.** Regular meetings of the Board shall be held on an as needed is basis immediately preceding regularly scheduled Kane County Commission meetings or as otherwise designated at any regular meeting.

4.3 **Special Meetings.** Special meetings may be called and noticed in the same manner as authorized by the Kane County Commission in accordance with the ordinances and/or rules of order and procedure of Kane County.

4.4 **Electronic Meetings.** Electronic meetings or participation in a meeting by electronic meetings are authorized and allowed in accordance with the ordinances and/or rules of order and procedure of Kane County.

4.5 **Quorum.** Two members of the Board shall constitute a quorum for the purpose of conducting the Boards business and exercising the powers of the Board and for all other purposes. Action may be taken by the Board upon a vote of a majority of the members of the Board at any meeting where a quorum is present.

4.6 **Form of Resolutions.** All resolutions shall be in writing and designated by number, reference to which shall be inscribed in the minutes and an approved copy filed in the official book of Resolutions of the Agency.

ARTICLE V – PROCEDURES, ORDER OF BUSINESS

5.1 **Procedures and order of business.** The Board of the Agency is comprised of the members of the Kane County Commission. The Kane County Commission periodically adopts Rules of Procedure that define the organization and operation of the Commission and outline expectations on how Commission meetings are conducted. The Agency Board desires to utilizes all reasonably applicable Rule of Procedure of the Commission then in effect for the Procedures and order of business of the Agency. Such Rule of Procedure shall be in effect at all regular or special meetings of the Board. Therefore, the Rules of Procedure of the Kane County Commission then in effect, as reasonably unapplicable to the Agency, are adopted and incorporated herein by reference, and shall be used by the Agency Board.

IN WITNESS WHEREOF the Chair has executed these Bylaws this __ day of February, 2025

ATTEST:

Patty Kubeja
Chair

Chameill Lamb
RDA BOARD SECRETARY

ITEM # 2

Discuss/Vote on RDA Vice Chair Position