

COMMISSION MEETING

PACKET

DATE:

July 8, 2025

NOTICE AND AGENDA OF A MEETING OF THE KANE COUNTY COMMISSION

PUBLIC NOTICE IS HEREBY GIVEN that the Commissioners of Kane County, State of Utah, will hold a **Commission Meeting** in the Commission Chambers at the Kane County Courthouse, 76 N. Main Street, Kanab, Utah on **Tuesday, July 8, 2025** at the hour of **10:00 A.M.**

*The Commission Chair, in her discretion, may accept public comment on any listed agenda item unless more notice is required by the Open and Public Meetings Act.

View Online www.kane.utah.gov/publicmeetings or Dial: (US) +1 240-394-8436 – PIN: 821 151 844#

CALL MEETING TO ORDER

WELCOME

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT:

CONSENT AGENDA:

Check Edit Report: June 25, 2025-\$723,438.83 and July 2, 2025-\$403,388.62

Approval of: Commission Meeting Minutes for June 24, 2025

REGULAR SESSION:

1. **Discuss/Vote on Kane County Resolution No. R 2025-21 a Resolution Establishing a Policy for the Designation of a Backup Payroll Person by the Kane County Commission / Commissioner Brown**
2. **Discuss/Vote on Resolution No. R 2025-22 a Resolution of Kane County Approving Participation of the Vermillion Cliffs Special Service District in the Utah Counties Indemnity Pool as a Separate County Related Entity Member / Commissioner Brown**
3. **Review of Legislative Issues / Full Commission**
4. **Commissioner Report on Assignments / Full Commission**

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 Thursday, prior to the meeting.

CONSENT AGENDA

Approval of:

**Check Edit Report: June 25, 2025-\$723,438.83 and
July 2, 2025-\$403,388.62**

Commission Meeting Minutes for June 24, 2025

**MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
June 24, 2025 at 10:00 AM
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH**

Commissioner Attendance: Chair Celeste Meyeres, Commissioner Patty Kubeja, and Commissioner Gwen Brown

Other County Officials in Attendance: Chameill Lamb, Keiren Chatterley, Rhonda Gant, Shannon McBride, Judge Johnson, Isis Smith, Morgan Shakespear, and Bert Harris

CALL MEETING TO ORDER: Commissioner Meyeres

WELCOME: Commissioner Meyeres

INVOCATION: Shannon McBride

PLEDGE OF ALLEGIANCE: Drew Chamberlain

PUBLIC COMMENT:

Shannon McBride clarified that she was not speaking as the Land Use Administrator, but from her perspective as a mom, saying that she is concerned about the unintended consequences of zoning restrictions and the issues it presents as far as affordable housing, infrastructure, and provided services in Kane County.

Steve Shrope, Chris Heely, Chris Eberz, Tyler Heely, and Lara Clayson all spoke in opposition of Item #7, saying that they don't want to see the minimum acreage be changed to two-acres. Chris Heely and Tyler Heely read letters from Camille Olsen and Shanell Heely stating that they were also in opposition of the two-acre minimum.

CONSENT AGENDA:

Check Edit Report: June 11, 2025-\$1,899,455.51 and June 18, 2025-\$508,465.64

Motion to approve the Consent Agenda with the two Check Edit Reports for June 11th and June 18th and the Commission Meeting Minutes for June 10, 2025 as presented made by Commissioner Kubeja and motion carried with all Commissioners present voting in favor.

REGULAR SESSION:

1. Recognition of Judge Gary Johnson for his Years of Service as the Kane County Justice Court Judge / Commissioner Brown

The commission recognized Judge Gary Johnson for his 27 years as the Kane County Justice Court Judge.

2. Public Hearing Regarding Ordinance 2025-15 and 2025-16

Commissioner Meyeres opened up public hearing.

Shannon gave a description on Ordinance 2025-15 and 2025-16 saying that they needed to come to the commission because they were vacating a Public Utility Easement.

No public comment.

Commissioner Meyeres closed the public comment period.

3. Ordinance 2025-15 an Ordinance Amending and Vacating Amended Lot 1 in the Bryce Woodland Estates Subdivision, Block 12, Unit 6F and Vacating Lot 1 out of the Subdivision and Placing it into Parcel 8-5-4-1 and Vacating a Five-Foot Public Utility Easement - Shannon McBride / Commissioner Brown

Motion to approve Ordinance 2025-15 and 2025-16 as stated made by Commissioner Brown and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye

Commissioner Meyeres-aye

4. Ordinance 2025-16 an Ordinance Vacating a Five-Foot Public Utility Easement in the Bryce Woodland Estates Subdivision, Block 12, Unit 6F - Shannon McBride / Commissioner Brown

See motion on Item #3.

5. Ordinance 2025-11 an Ordinance Revising Kane County General Plan to Include a Water Conservation Element as Mandated by Utah Code 17-27a-(403) and Section 73-10-32 - Shannon McBride / Commissioner Brown

Shannon presented the Water Conservation Element that showed additional numbers that have been implemented into the general plan. She feels that the table is complete now, with all the major water companies. Shannon would like this to be approved so she can send it to the state to make sure we are on the right track.

Motion to approve Ordinance 2025-11 an Ordinance revising Kane County General Plan to include a Water Conservation Element as mandated by Utah Code 17-27a-(403) and Section 73-10-32 made by Commissioner Brown and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye

Commissioner Meyeres-aye

6. Ordinance 2025-13 an Ordinance Revising Kane County Land Use Ordinance Chapter 20 Planned Unit Development Section 3 (d) Rezone and Planned Unit Development Application Approval Process - Shannon McBride / Commissioner Brown

Shannon stated that with this ordinance they are deleting out “public hearing” and replacing it with “public meeting” at the commission level.

Motion to adopt Ordinance 2025-13 revising Kane County land Use Ordinance regarding Rezoning and Planned Unit Development application approval process made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye

Commissioner Meyeres-aye

7. Ordinance 2025-14 an Ordinance Revising Kane County Land Use Ordinance Potentially Eliminating Any New Residential 1 Zones in New Subdivisions and Potentially Allowing a Percentage of Less Than 2 Acre Lots in R-2 Zones; and Requiring 500' Notice for All Zone Changes - Shannon McBride / Commissioner Brown

Commissioner Brown stated that about four years ago the commissioners brought to the planning commission the idea to no longer allow $\frac{1}{2}$ acre or 1 acre lots in the unincorporated county and P&Z voted to approve that, but when it went on to the commission, they changed their mind and decided to just eliminate $\frac{1}{2}$ acre lots. She has been asked by a lot of people in the unincorporated

area to protect what makes Kane County special and keep the unincorporated area a rural place to live. Commissioner Brown said that if we do keep the 1-acre lots then she would like to propose that just a percentage be allowed to be 1-acre and then the rest to be 2-acres or more.

Shannon mentioned that there was two parts to the ordinance and the second part would require a notice be sent out to neighbors that are within 500-feet of a zone change.

Motion to adopt the requiring 500 feet of notice for all zone changes, so that neighbors in properties within 500 feet of a proposed zone change would be notified rather than the states requirement of 300 feet made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye

Commissioner Meyeres-aye

Motion to deny the portion revising Kane County Land Use Ordinance potentially eliminating any new Residential-1 zones in new subdivisions and potentially allowing a percentage of less than 2-acre lots in R-2 zones made by Commissioner Meyeres and motion carried with Commissioner Meyeres and Commissioner Kubeja voting aye and Commissioner Brown voting nay.

Commissioner Brown-nay

Commissioner Kubeja-aye

Commissioner Meyeres-aye

8. Ordinance 2025-17 an Ordinance Amending the Zoning of Lot 6-51 from Commercial 1 to Commercial 2 - Shannon McBride / Commissioner Brown

Shannon said that on this zone change the owners are wanting to do a manufacturing business (manufactured homes), but they want to place them on the properties instead of present them there on the lot. On the lot they want to have a model home and an office.

Motion to adopt Ordinance 2025-17 amending the zoning of lot 6-51 from Commercial 1 to Commercial 2 made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye

Commissioner Meyeres-aye

9. Ordinance 2025-19 an Ordinance Revising Kane County Land Use Ordinance Chapter 21 Subdivision Regulations Article K. Ag Rural Unimproved Split Section 3 Ag Rural Unimproved Split Application (7) and Article L. Minor Subdivisions Section 2 Utah State Code Section 17-27a-605 (4) to be in Compliance with Utah Code 17-27a-605 (4) Et. Seq. - Shannon McBride / Commissioner Brown

Shannon said Article K is our Ag Unimproved Split, which is a mechanism to be able to split up land without doing all the infrastructure as a subdivision. She said 5-6 years ago the state talked about how these huge roads of 66-foot are a thing of the past and you don't need that wide. She is recommending that they take it down to 50-foot. With the Minor Lot Subdivision, it has been 100 contiguous acres, where you could take one split within 1,000 feet to as small as 1-acre. This year the state changed it to 50 contiguous acres within 500-feet of a minor lot, but the county attorney told her that we cannot regulate Minor Lot Subdivisions so they would like to take this out of the ordinance. They left one paragraph so the public could see they still had to do an application, which makes it so she looks at the legal description to make sure they are in compliance, she signs it, and then takes it to the Recorder's Office.

Motion to adopt Ordinance 2025-19 as stated previously made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

10. Bid Award for Fire District Feasibility Study / Full Commission

Chameill stated that we put an RFP to get proposals for the fire district study. They had 6 proposals submitted. One of the requirements of the proposal was that the budget was not to exceed \$50K, which one of them did exceed \$50K, so they didn't evaluate that proposal. They are recommending to go with Matrix Consulting Group.

Motion to award the Fire District Feasibility Study to Matrix for \$50K made by Commissioner Brown and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

11. Discuss/Vote on Proposed Agreement with Kanab City for Potential Structural Fire Response to Unincorporated Parcels in Kane County which Receive Services from Kanab City / Full Commission

Commissioner Meyeres stated that this particular agreement allows for Kanab City to respond without fear of legal liability as well as with some assurance that their personnel will be covered if they respond to an area that is either adjacent to Kanab or receiving services from Kanab.

Motion to approve the proposed agreement with Kanab City for potential structural fire response to unincorporated parcels in Kane County which receive services from Kanab City made by Commissioner Brown and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye

Commissioner Meyeres-aye

12. Discuss/Vote on the Indigent Defense Commission Award Offer and Grant Agreement FY26 / Commissioner Kubeja

Commissioner Kubeja stated that this grant helps us pay for the public defender when someone cannot afford to pay for it. Overall, our budget is \$116K, we get \$41,124 from the state and then we match it with \$75,028

Motion to approve the Indigent Defense Commission award offer of \$41,124 from the state, matching it with \$75,028 from Kane County funds for a total of \$116,152 made by Commissioner Kubeja and motion carried with all commissioner present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye

Commissioner Meyeres-aye

13. Discuss/Vote on Commission Support for Alton's De-annexation of Certain Portions of Alton Town (Resolution No. R 2025-19) / Full Commission

Motion to support Alton's de-annexation of certain portions of Alton Town with the parcels listed and with Resolution 2025-19 made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye

Commissioner Meyeres-aye

14. Discuss/Vote on Position of Support for United States Senate Legislation for Targeted Disposal of 1% or Less of Federally Controlled Land for Local Housing and Community Infrastructure (Resolution No. R 2025-20) / Full Commission

Commissioner Meyeres said that the Utah Association of Counties (UAC) had presented the language and documents supporting the targeted disposal of 1% or less of federally controlled land. They provided the framework for a support letter with the option on whether or not we wanted to support this as a county.

Commissioner Brown mentioned that she heard on the news that morning that there was some changes made to this, but she didn't hear what the changes were, so she would like to find out what they were before she votes on it.

Motion to adopt Resolution 2025-20, which is a position of support for the United States Senate Legislation for targeted disposal of 1% or less of federally controlled lands for local housing and community infrastructure made by Commissioner Meyeres and motion carried with Commissioner Meyeres and Commissioner Kubeja voting aye and Commissioner Brown abstained from voting.

Commissioner Brown-abstain
Commissioner Kubeja-aye
Commissioner Meyeres-aye

15. 2025 Tax Sale Minutes / Full Commission

Chameill presented the 2025 Tax Sale minutes saying that they originally started with 12 parcels that were on the list and by the time we got to tax sale day they were down to one parcel that could be sold and one that was stricken to the county because it had issues with ownership and the legalities of it.

Motion to approve the 2025 Tax Sale minutes as presented by Clerk Chameill Lamb made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

16. Review of Legislative Issues / Full Commission

Commissioner Meyeres said she would be presenting to Utah Association of Counties (UAC) on an idea we had to make it to where if a county was to go countywide with a necessary service or a required service that it will be difficult or not possible for the proposal to be blocked.

Commissioner Kubeja was asked to be on a committee with UAC regarding SB197, which was passed by the legislatures but vetoed by the governor. They are trying to make people use the deferral program and right now they are taking input.

17. Commissioner Report on Assignments / Full Commission

Commissioner Kubeja

- Visited 4H Stem Camp
- This last weekend was 50's weekend
- Jacob Hamblin Days this weekend

Commissioner Meyeres

- Gave an update on the France Canyon Fire

Commissioner Brown

- Judge Johnson's retirement party today
- Shea Owens (new Justice Court Judge) should be certified by the end of July
- We signed a new contract with the Bookmobile
- Did Vermillion Cliffs Special Service District public hearing to discuss a tentative budget and tentative fee schedule

Motion to adjourn at 12:28 P.M. made by Commissioner Kubeja and motion carried with all Commissioners present voting in favor.

WHERE UPON MEETING WAS ADJOURNED

Celeste Meyeres Chair

Chameill Lamb Clerk/Auditor

AGENDA

ITEMS

ITEM # 1

**Discuss/Vote on Kane County Resolution No. R 2025-21 a
Resolution Establishing a Policy for the Designation of a
Backup Payroll Person by the Kane County Commission**

KANE COUNTY RESOLUTION NO. 2025-21

A RESOLUTION ESTABLISHING A POLICY FOR THE DESIGNATION OF A BACKUP PAYROLL PERSON BY THE KANE COUNTY COMMISSION

WHEREAS, Kane County recognizes the essential function of payroll processing to maintain operations and meet obligations to its employees; and

WHEREAS, Kane County has been repeatedly criticized in annual audit reports for failing to have a designated backup payroll person in place, creating risk for potential delays or disruptions in payroll processing; and

WHEREAS, the County acknowledges that circumstances may arise in which the primary payroll personnel are unavailable due to unforeseen events, emergencies, or extended absences; and

WHEREAS, it is in the best interest of the County to ensure continuity of payroll operations through the formal designation of a backup payroll person; and

WHEREAS, the Kane County Commission desires to implement a clear policy that empowers the Commission to designate such a backup payroll person to fulfill necessary duties in the absence of the primary payroll personnel;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATIVE BODY OF KANE COUNTY, UTAH:

The Kane County Commission shall formally designate an individual to serve as the backup payroll person for the County. This designation shall be reviewed as needed and may be updated by majority vote of the Commission.

The backup payroll person shall have the authority and training necessary to carry out essential payroll duties in the temporary absence of the primary payroll personnel, ensuring no interruption to employee compensation or associated reporting obligations.

The County Clerk/Auditor's Office, Human Resources, and IT Department shall ensure that the designated backup payroll person receives appropriate training and system access to fulfill their responsibilities in accordance with County policies and applicable laws.

APPROVED AND ADOPTED this _____ day of _____, 2025.

BOARD OF COUNTY COMMISSIONERS
KANE COUNTY, UTAH

Celeste Meyeres Chair, Kane County Commission

Gwen Brown, Commissioner

Patty Kubeja, Commissioner

Attest: Kane County Clerk/Auditor

ITEM # 2

**Discuss/Vote on Resolution No. R 2025-22 a Resolution
of Kane County Approving Participation of the Vermillion
Cliffs Special Service District in the Utah Counties
Indemnity Pool as a Separate County Related Entity
Member**

**RESOLUTION OF KANE COUNTY APPROVING PARTICIPATION OF THE
VERMILLION CLIFFS SPECIAL SERVICE DISTRICT IN THE UTAH COUNTIES
INDEMNITY POOL AS A SEPARATE COUNTY RELATED ENTITY MEMBER**

WHEREAS, the Governing Body of Kane County, Utah, a participating Member of the Utah Counties Indemnity Pool, is the proper authority to sponsor the participation of the Vermillion Cliffs Special Service District, a separate county related entity; and

WHEREAS, the Governing Body of Kane County, Utah, has been informed that the Bylaws of the Utah Counties Indemnity Pool require that a separate county related entity must be sponsored by a participating Member County by resolution of the member's governing body;

WHEREAS, the Governing Body of Kane County, Utah, acknowledge that the Bylaws of the Utah Counties Indemnity Pool, requirements of eligibility have been met by the separate county related entity.

NOW, THEREFORE, be it resolved that the Governing Body of Kane County, Utah, hereby approves the Vermillion Cliffs Special Service District as a separate county related entity member, eligible to participate in the Utah Counties Indemnity Pool.

RESOLVED ADOPTED AND ORDERED this _____ day of _____, 2025.

**GOVERNING BODY
KANE COUNTY, UTAH**

ATTEST:

By: _____

APPROVED AS TO FORM:

By: _____

ITEM # 3

Review of Legislative Issues

ITEM # 4

Commissioner Report on Assignments