

VERMILLION CLIFFS

Special Service District

NOTICE AND AGENDA

PUBLIC NOTICE IS HEREBY GIVEN that the Vermillion Cliffs Special Service District of Kane County, State of Utah will hold a budget hearing meeting to adopt the 2026 budget in a regular board meeting in the Commission Chambers at the Kane County Courthouse, 76 N. Main Street, Kanab, Utah on **Thursday, December 18, 2025 at the hour of 2:30 P.M.**

*The Board 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.

December 18, 2025

WELCOME

1. Invocation
2. Pledge of Allegiance

CONSENT AGENDA:

- A. Approval of VCSSD Meeting Minutes for December 3, 2025
 - a. Minutes

PUBLIC COMMENT:

REGULAR SESSION:

1. Public Hearing to Adopt the 2026 Budget
2. Discussion/Approval to adopt Resolution R-2026-7 A Resolution Adopting the 2026 Budget. Resolution
3. Hearing, Discussion, Decision of Appeal for Parcel(s) # 209-4, 209-6, 209-5 Letter
4. Hearing, Discussion, Decision of Bettencourt Appeal Letter
5. Discussion/Decision on Written Notice Regarding the Election of Board Members, and the Number of Board Members to be Elected
6. Discuss/Vote on Amended Contract between VCSSD and Kanab City for fire service. Contract
7. Q&A with Seth Oveson from Auditor's Office Regarding Fees
8. Other Discussion Items

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.

This meeting has a call-in listening option only. To listen to the meeting, dial 435-676-9000 and enter participant code 168030. Please note: callers will not be able to participate.

VERMILLION CLIFFS

Special Service District

December 3, 2025 10:00 am
Kane County Commission Chambers
76 N Main Street Kanab, UT 84741

MINUTES

Attending: Gwen Brown (chair), Celeste Meyeres, Patty Kubeja, Jeff Stott, Keiren Chatterley, Clayton Cutler.

Welcome

Invocation - Patty Kubeja

Pledge of Allegiance - Gwen Brown

Consent Agenda

Approval of VCSSD Meeting Minutes for November 5, 2025

Motion to approve the VCSSD Meeting Minutes November 5, 2025

Motion - Patty Kubeja

Motion passed unanimously.

Public Comment

No members of the public made a comment.

Regular Session

1. Discussion/Approval of Appeal for Parcel(s) # 209-4, 209-5, 209-6
Chair Brown reads the appeal letter submitted by members of the district. The board discusses what impacts the assessed value of a property. They recommend visiting with the County Assessor, Ryan Maddux. They also suggest they appeal to the Board of Equalization. The decision was made to postpone the hearing for this appeal to a later meeting after the residents had been given more adequate notice.
2. Discussion/Approval of Resolution R-2025-5 A Resolution of the Vermillion Cliffs Special Service District's Intent to Not Incorporate Willow into the Boundaries of the District.

Chair Brown gives a brief overview of the situation with the preliminary municipality of Willow. The other board members add other information.

Motion to adopt R-2025-6 as written.

Motion - Celeste Meyeres

Motion passed unanimously.

3. Discussion/Approval of an Amendment to the Fire Service Agreement with Kanab City

Agenda item moved to the end of the meeting to be discussed during a closed/executive session.

4. Discussion/Approval of Contracting for the Impact Fee Analysis

The chair turns the floor to Clayton Cutler to give an update on the situation with the impact fee analysis. He's currently working to reach out to three different firms for estimates. He clarifies a few questions with Attorney Stott. The estimates have not come in yet, so the vote will be moved to a later date.

5. Review of the 2026 Tentative Budget

Clerk Cutler gives the board an overview of the 2025 budget as it currently stands. Then he gives an overview of the proposed 2026 budget. Treasurer Keiren Chatterley adds information as necessary. The board discusses the budget including concerns about underestimating fees to be paid to Kanab City. Treasurer Chatterley recommends adopting the tentative budget as written, then holding a budget opening mid-way through 2026. The treasurer and staff answer questions from the board as they arise.

6. Approval of the 2026 Tentative Budget

Motion to approve the 2026 Tentative Budget

Motion - Gwen Brown

Motion passed unanimously.

7. Set Public Hearing Date for Adoption of the 2026 Budget

The tentative budget needs to be posted online and in a public place for at least seven (7) days prior to the public hearing. The public hearing date for adoption of the 2026 budget is set for 2:30 pm on Thursday, December 18, 2025.

Motion to move the meeting into Executive Session.

Motion - Celeste Meyeres

Motion passed unanimously.

Meeting moved into Executive Session at 10:31 am

Meeting re-convened to Regular Session at 11:40 am

Agenda Item No. 3 Continued - Discussion/Approval of an Amendment to the Fire Service Agreement with Kanab City

Attorney Stott gives an overview of a newly proposed amendment to the contract with Kanab City regarding the "Capacity Fee." He provides the specifics of the proposal.

The board decides to table the discussion until the next meeting.

Kanab City Attorney Burgraff clarifies that the city will probably adopt the proposed amendment as is, unless the district asks for something to be changed.

8. Other Discussion Items

No other items were discussed during the meeting.

Motion to adjourn

Motion - Patty Kubeja

Motion passed unanimously.

Meeting adjourned at 11:47 am

VERMILLION CLIFFS SPECIAL SERVICE DISTRICT

RESOLUTION NO. R-2025-7
2026 Budget Adoption

A RESOLUTION ADOPTING THE 2026 ANNUAL YEAR DISTRICT BUDGET

WHEREAS, the Board of the Vermillion Cliffs Special Service District, in a regular meeting for which lawful notice had been given, finds that a public hearing was held on December 18, 2025, in accordance with state statute; and,

WHEREAS, the Board of the Vermillion Cliffs Special Service District, in conjunction with the District Clerk, is responsible for accurately and fairly presenting the District's financial records through the budget process; and

THEREFORE, that the Board of the Vermillion Cliffs Special Service District hereby adopts the 2026 Budget, in the amount of \$437,652.06 through the budget process.

BET IT RESOLVED, that the District's Budget Officer is hereby directed to certify the final budget with the Utah State Auditor within thirty (30) days of the adoption of this Resolution.

This Resolution was adopted by the Board of the Vermillion Cliffs Special Service District on December 18, 2025.

District Chair, Gwen Brown

District Clerk, Clayton Cutler

Attachment: 2026 Budget

Vermillion Cliffs SSD
2026 Budget

	2025 Budget	2025 Budget	2025 Actual	2026 Budget
Operating Income				
5240 -Fees	\$ 435,152.02	\$ 435,152.02	\$ 23,544.96	\$ 455,000.00
5610 Interest income	\$ 2,500.00	\$ -	\$ -	\$ 7,500.00
Total Operating income	\$ 437,652.02	\$ 435,152.02	\$ 23,544.96	\$ 462,500.00
Operating expense				
Services Contract				
6180 Fire Contract	\$ 315,079.06	\$ 315,079.06	\$ 315,079.06	\$ 334,000.00
Administrative				
6210 Administrative Services	\$ 50,000.00	\$ 18,000.00	\$ 18,000.00	\$ 50,000.00
6220 Public Notices	\$ 100.00	\$ 25.00	\$ 25.00	\$ 100.00
6240 Office Expense	\$ 2,400.00			\$ 2,400.00
6312 Accounting	\$ 3,000.00			\$ 3,000.00
6510 Insurance	\$ 2,000.00	\$ 1,721.00	\$ 1,721.00	\$ 2,000.00
6610 Miscellaneous	\$ 8,000.00	\$ 25.00	\$ 25.00	\$ 8,000.00
Total Administrative	\$ 380,579.06	\$ 334,850.06	\$ 19,771.00	\$ 399,500.00
			\$ (295,308.06)	
Operational Reserve				
6460 Grant Match	\$ 10,000.00	\$ 10,000.00	\$ -	\$ 10,000.00
6410 Capital Reserve Fund	\$ 47,073.00	\$ 92,802.00	\$ -	\$ 53,000.00
Total Reserve	\$ 57,073.00	\$ 102,802.00	\$ -	\$ 63,000.00
Total Income From Operations	\$ 437,652.02	\$ 435,152.02	\$ 23,544.96	\$ 462,500.00
Total Operating expense	\$ 437,652.06	\$ 437,652.06	\$ 19,771.00	\$ 462,500.00

Board of Trustees

Clayton Cutler administrator for the VCSSD

This is an appeal of the Vermillion Cliffs Special Service District.

We own three 2 acre parcels on Johnson Canyon Road, bought together, located together, never been sold separately (as far as we know). We built a house on one. Our VCSSD fee for each lot is the same as other parcels in our area that are larger than all three of our parcels combined. I'm proposing that we only be charged the fee equivalent to the fee of one parcel. Thank you,

The parcel numbers are

acct 171998 parcel 209-4

172016 209-6

172009 209-5

Robert and Charlene Hauber
75 S Grand Circle
Kanab, Utah 84741

Phone 435-644-8812
435-819-0053

December 1, 2025

Rocel Bettencourt and Scott Buckner
6451 N. Johnson Canyon Road
Kanab, Utah, 84741
209-663-7012
Parcel #2-5-14-2B

Notice of Administrative Appeal

To the Vermillion Cliffs Special Service District Board of Trustees:

We are appealing the assessment placed upon our property to pay for the new Vermillion Cliffs Special Service District. Our assessment is \$660.91 for property tax year 2025. This amount is based upon a \$150 administration fee and a \$510.91 assessment derived from taking the property valuation of $\$378,450 \times .00135\%$. The \$660.91 amount is greater than 82% of other property owners within the district, which puts us within the top 18% of property owners who pay the most.

Utah State Code 17B-1-121 (2) (c) (i) requires that a special service district establish an impartial fee appeal process **to determine whether a fee reflects only the reasonable estimated cost of delivering the service for which the fee was paid.** Property owners are all paying different amounts with no formula or specific details as to why one person should pay more based upon a better service level. The formula is just based upon a .00135% tax rate on assessed value. Also, it appears that not every parcel is paying the \$150 for the administrative fee. Our property is approximately 20 miles from the Kanab City Fire Station, yet we are paying more than most properties within the district that are closer to the fire station.

Basing our assessment on property value is a tax because there is no connection to the service received.

Examples of much lower assessments: Parcel #2-5-11-1A is next to our property and has more acreage, similar structures, yet is paying only \$370.51 for the VCSSD assessment. Parcel #4-5-3-2D is located closer to the Kanab City Fire Station and is a similar property type to our

parcel yet only pays \$396.82 in assessments. Parcel #261-6 is assessed at \$376.82 and Parcel #3-5-24-1B is assessed at \$391.75, both have more acreage, similar structures, and are closer to the Kanab City Fire Station.

We feel that our assessment should be similar to those parcels. If not, please explain why it's reasonable to charge us approximately \$300 more for the same structural fire service.

Sincerely,



Rocel Bettencourt / S. Buckner
Rocel Bettencourt and Scott Buckner