

**COMMISSION MEETING
PACKET**

DATE:

January 13, 2026

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, January 13, 2026** 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: December 17, 2025-\$1,832,045.10, December 24, 2025-\$405,953.69, December 31, 2025-\$190,138.02, and January 7, 2026-\$343,628.56

Approval of: Commission Meeting Minutes for December 16, 2025 and January 2, 2026 Public Strategy Meeting

REGULAR SESSION:

1. **Recognition of Outgoing County and Service District Board Members for their Service to the Community / Full Commission**
2. **Public Hearing Regarding Appointing/Reappointing Board Members to the Kane County Tourism Tax Advisory Board (R 2026-4 and R 2026-5)**
3. **Kane County Resolution No. R 2026-4 A Resolution Reappointing Paul Gagner to the Kane County Tourism Tax Advisory Board / Commissioner Kubeja**
4. **Kane County Resolution No. R 2026-5 A Resolution Appointing Joseph Sorensen and Nancy Seely to the Kane County Tourism Tax Advisory Board / Commissioner Kubeja**

- 5. Kane County Resolution No. R 2026-2 A Resolution of the Kane County Commission Expressing Support for the Use of Septic Systems in Water-Hauling Subdivisions and Affirming Kane County's Position of Supporting Water Hauling when Locally Regulated by the County Commission / Commissioner Meyeres**
- 6. Kane County Resolution No. R 2026-3 A Resolution Establishing Commission Assignments for 2026 / Full Commission**
- 7. Discuss/Vote on Cooperative Road Maintenance Agreement with Garfield County / Commissioner Meyeres**
- 8. Review of Legislative Issues / Full Commission**
- 9. 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: December 17, 2025-\$1,832,045.10,
December 24, 2025-\$405,953.69, December 31, 2025-
\$190,138.02, and January 7, 2026-\$343,628.56

Commission Meeting Minutes for December 16, 2025
and January 2, 2026 Public Strategy Meeting

**MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
December 16, 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: Attorney Jeff Stott, Clerk/Auditor Chameill Lamb, Sheriff Tracy Glover, Taylor Glover, Janette Peatross, Keiren Chatterley, Janette Peatross, and Bert Harris

CALL MEETING TO ORDER: Commissioner Meyeres

WELCOME: Commissioner Meyeres

INVOCATION: Clerk/Auditor Chameill Lamb

PLEDGE OF ALLEGIANCE: Neak Loucks

PUBLIC COMMENT:

No public comment.

CONSENT AGENDA:

Check Edit Report: December 10, 2025-\$343,197.79

Motion to accept the Consent Agenda as presented, which includes the Check Edit Report from December 10, 2025-\$343,197.79 as well as the Commission Meeting Minutes for December 9, 2025 made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

REGULAR SESSION:

1. 10:00 A.M. Public Hearing to Discuss the 2026 Annual Budget (Continued from December 9, 2025)

Commissioner Meyeres called us into public hearing.

No public comment.

Commissioner Meyeres called us out of public hearing.

2. Kane County Resolution No. R 2025-42 A Resolution Adopting the 2026 Fiscal Year County Budget / Full Commission

Chameill went over the changes that were made to the budget.

Motion to approve Kane County Resolution No. R 2025-42 a Resolution adopting the 2026 Fiscal Year County Budget as presented made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

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

3. Annual Report from the Healthy Kane County Foundation / Commissioner Kubeja

Neak Loucks gave a presentation on what the Healthy Kane County Foundation did throughout the 2025 year and what they have planned for 2026.

4. Report/Discussion from Treasurer, Keiren Chatterley, on Taxes Collected and Dispersed for 2025 / Commissioner Brown

Keiren Chatterley gave a purview on what the Treasurer's Office does and went over some of the things they accomplished this year.

5. Discuss/Approve the Outdoor Recreation Initiative Grant for Vault Toilets at the Sand Caves / Commissioner Kubeja

Taylor stated that Kane County received a grant from the Outdoor Recreation Initiative (ORI), the grant is for \$70K with \$10K of matching funds for a double vault toilet at the Sand Caves trailhead. The \$10K match was budgeted for in the trails budget.

Motion to approve the Outdoor Recreation Initiative Grant for vault toilets at the Sand Caves made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

6. Discuss/Approve Adjusting the Location of the 3-Way Stop Signs on Redwood Road in the Color Country Subdivision from the Intersection at Arapaho to Shoshone or Henry Road / Commissioner Meyeres

Bert stated that they put some stop signs on Redwood and Bonanza and Powerline Road, which they had discussed at a past meeting. He now thinks that where they were placed is probably not the best spot for them. He believes that putting them on Henry Rd. would probably be the best place to put the stop signs.

Motion to move and or remove the stop signs as suggested on Redwood Rd. and move them to Henry Rd. made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

7. Public Hearing Regarding Kane County Resolution No. R 2025-47, R 2025-48, R 2025-49, R 2025-50, and R 2025-51 Reappointing and Appointing Board Members to Various Districts/Committees

Commissioner Meyeres called us into public hearing.

No public comment.

Commissioner Meyeres closed public hearing.

8. Kane County Resolution No. R 2025-47 A Resolution Reappointing Steven Schmidt to the East Zion Special Service District Administrative Control Board / Commissioner Kubeja

The term starts January 1, 2026 and ends on December 31, 2029.

Motion to adopt Resolution 2025-47, 2025-48, 2025-49, 2025-50, and 2025-51 effectively reappointing Kelly Stowell to both Recreation and Transportation as well as the Resource

Development Boards, newly appointing Ray Spencer to both of those boards, and appointing Jenny Lassen to just the Recreation and Transportation District Board in addition a resolution reappointing Steve Schmidt to the East Zion Special Service District Board made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

9. Kane County Resolution No. R 2025-48 A Resolution Reappointing Kelly Stowell to the Kane County Recreation and Transportation Special Service District Administrative Control Board / Commissioner Meyeres

The term begins January 1, 2026 and ends December 31, 2029.

See motion on item #8.

10. Kane County Resolution No. R 2025-49 A Resolution Appointing Jennie Lassen and Ray Spencer to the Kane County Recreation and Transportation Special Service District Administrative Control Board / Commissioner Meyeres

The term begins January 1, 2026 and ends December 31, 2029.

See motion on item #8.

11. Kane County Resolution No. R 2025-50 A Resolution Reappointing Kelly Stowell to the Kane County Resource Development Committee Board / Commissioner Meyeres

The term begins January 1, 2026 and ends December 31, 2027.

See motion on item #8.

12. Kane County Resolution No. R 2025-51 A Resolution Appointing Ray Spencer to the Kane County Resource Development Committee Board / Commissioner Meyeres

The term begins January 1, 2026 ends December 31, 2027.

See motion on item #8.

13. Public Hearing Regarding Kane County Ordinance No. O 2025-42, O 2025-44, O 2025-45, and O 2025-46 Vacating Public Utility Easements

Commissioner Meyeres called us into public hearing.

No public comment.

Commissioner Meyeres closed public hearing.

14. Kane County Ordinance No. O 2025-42 An Ordinance Vacating Two Seven and a Half Foot Public Utility Easements in the Strawberry Valley Estates Subdivision Unit 4 Amended Lots 13 & 14 / Commissioner Brown

Motion to adopt Ordinance 2025-42, 2025-44, 2025-45, and 2025-46 removing the parts about vacating lots 19, 20, and 16 in 2025-46 and with the finding that there is no compelling, countervailing public interest that would prevent approval of the application or otherwise jeopardize the public interest, the application meets the requirements set forth in the Kane County Land Use Ordinance regarding amending, extending and vacating a subdivision plat, Utah Code §17-27a-60.5, and good cause exists for the vacation; and b) the public interest or any person will not be materially injured by the proposed vacation c) all public utility providers signed termination agreements made by Commissioner Brown and motion carried with all commissioners present voting in favor.

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

15. Kane County Ordinance No. O 2025-44 An Ordinance Vacating Thirteen Five Foot Public Utility Easements in the Zion View Mountain Estates Subdivision Unit “E” Amended Lots 70, 71, 72, 73, 78, 79, and 81 / Commissioner Brown

See motion on item #14.

16. Kane County Ordinance No. O 2025-45 An Ordinance Vacating Two Seven and a Half Foot Public Utility Easements in the Amended Plat of Lots 25 & 26 Strawberry Pines, Unit “A” / Commissioner Brown

See motion on item #14.

17. Kane County Ordinance No. O 2025-46 An Ordinance Vacating Three Seven and a Half Foot Public Utility Easements between Lots 19, 20, and 16, and One 10-Foot Public Utility Easement between Lots 16, 19, and 20 and Vacating Lots 19 and 20 out of the Ponderosa Villa Subdivision Plat “H” and Extending it into New Lot 16 in the Amended Plat “B” in Ponderosa Villa Subdivision / Commissioner Brown

See motion on item #14.

18. Kane County Ordinance No. O 2025-28 An Ordinance Establishing Zoning, Concept Plan and Development Agreement for the Proposed Zion Spirit a Planned Unit Development / Commissioner Brown

Kevin McLaws and Kelly presented the Planned Unit Development (PUD) version of the Zion Spirit Project that is located by Ponderosa. Kelly said that there were a couple comments made from the Planning Commission that they needed to get corrected, so they worked with Attorney Stott and others to get them corrected.

Motion to approve Ordinance 2025-28 an Ordinance establishing Zoning, Concept Plan, and Development Agreement for the proposed Zion Spirit a Planned Unit Development made by Commissioner Brown and motion carried with Commissioner Meyeres and Commissioner Brown voting aye and Commissioner Kubeja voting nay.

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

19. Kane County Ordinance No. O 2025-29 An Ordinance Revising Kane County Land Use Ordinance Chapter 6 Residential Zones / Commissioner Brown

Commissioner Brown stated that right now any lot in R-1, 2, or 5-acre zones can have two single family dwellings and they both can be used as a vacation/short-term rental. R-½ can only have 1 single family dwelling. She would like to change it so that if there are two dwellings on a lot, that only one of them can be used as a vacation/short-term rental.

Motion to deny Ordinance 2025-29 revising Kane County Land Use Ordinance Chapter 6 Residential Zones as presented, which would have taken out the Conditional Uses of (2) short-term rentals per lot or parcel on 2 or 5-acre lots made by Commissioner Meyeres and motion failed with Commissioner Brown and Commissioner Kubeja voting nay and Commissioner Meyeres voting aye.

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

Motion to approve Kane County Ordinance No. O 2025-29 an Ordinance revising Kane County Land Use Ordinance Chapter 6 Residential Zones made by Commissioner Brown and motion

carried with Commissioner Kubeja and Commissioner Brown voting aye and Commissioner Meyeres voting nay.

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

20. Kane County Ordinance No. O 2025-41 An Ordinance Accepting a Road Dedication for the US-89 Corridor Transportation Management Plan for Parcels 3-6-36-9, 3-6-36-17, and 3-6-36-9A Extending Plateau Road and Maringer Canyon Road / Commission Brown

Taylor stated that years ago the county in conjunction with UDOT started the East Corridor Transportation Plan with the idea of them providing off-highway frontage from Kanab to Johnson Canyon and then attempt to do the same thing on the south side of the highway. Over the years we have been connecting little pieces of road with most of it being private property. This property changed hands and the new owners asked us if we wanted a piece where the road could go. This ordinance is us accepting that.

Motion to approve Ordinance No. O 2025-41 an Ordinance accepting a Road Dedication for the US-89 Corridor Transportation Management Plan for Parcels 3-6-36-9, 3-6-36-17, and 3-6-36-9A extending Plateau Road and Maringer Canyon Road made by Commissioner Brown and motion carried with all commissioners present voting in favor.

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

21. UDOT SR9 Access Management Plan Agreement / Commissioner Meyeres

Taylor said that UDOT approached us about doing a similar plan as item #20 along Hwy 9 in Kane County. They gave us some grant funding to do a feasibility study and what they did in that study was went and looked at all the accesses off of Hwy 9 and out of that study they came up with the Access Management Plan. This is us accepting the plan and working towards supporting it.

Motion to accept the UDOT SR9 Access Management Plan Agreement as presented made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

22. Resolution No. R 2025-52 A Resolution of the Kane County Commission Adopting the Updated Kane County Wildland-Urban Interface (WUI) Zone Map / Full Commission

Taylor presented the updated Wildland-Urban Interface (WUI) Zone map.

Motion to adopt Resolution R 2025-52 updating the Kane County Wildland-Urban Interface (WUI) Zone Map made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

23. Review of Legislative Issues / Full Commission

No major updates at this time.

24. Commissioner Report on Assignments / Full Commission

Commissioner Brown

- Successful County Christmas Party

Commissioner Kubeja

- Successful Polar Express
- Attended a FAM (Familiarization Trip)

Commissioner Meyeres

- On January 1st the international visitors are going to be charge more for their America the Beautiful Park passes
- South Rim Grand Canyon Lodging is opening up again starting tomorrow

Motion to adjourn at 12:02 P.M. made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

WHERE UPON MEETING WAS ADJOURNED

Celeste Meyeres Chair

Chameill Lamb Clerk/Auditor

January 2, 2026 Public Strategy Meeting
11:30 AM, Kane County Commission Chambers
76 N Main Street, Kanab, UT 84741

Minutes

Attending: Commissioner Celeste Meyeres, Commissioner Gwen Brown, Commissioner Patty Kubeja (online), Attorney Jeff Stott (online).

Call to Order: Commissioner Meyeres

Welcome: Commissioner Meyeres

Regular Session

Commissioner Meyeres and Government Affairs Director, Taylor Glover, provide a brief history of the situation. They also give direction for how the public can submit questions to the Lt. Governor's office to be addressed during the public hearing to be held on January 7. An audience member asks what the point of the public hearing is if the audience is not allowed to speak like in a normal public hearing. Commissioner Meyeres explains that the meeting has to be held in conjuncture with state statue and whether or not the feasibility study conducted has met the required matrix. The commission also clarifies that important emphasis should be placed on flaws in the matrix and feasibility study when someone submits a question.

A few members of the public asks questions and make statements about the situation and the Commission addresses them as they arise.

The Commission also updates the public on what they have been doing to oppose the preliminary municipality. This includes passing resolutions formally opposing the municipality and denying them fire services, lobbying the state legislature, and submitting documentations of faulty process to the Lt. Governor's office.

The Commission turns the time to the County Engineer, Tom Avant to provide some more information. He provides an overview of the developer's and consulting firms projected sales for homes and property in the Willow

Municipality. He also points out flaws in the feasibility study including issues with Kane County's growth/sales rate and the septic/sewer system.

Sujatha Ramakrishna: Requests clarification on what qualifies as a failure of the preliminary municipality. Commissioner Meyeres speaks to this.

Matt Fisher: Asks if Mr. Avant could speak to the proposed 100 room hotel that is scheduled in the first phase of development of Willow. Mr. Avant addresses this request. He also speaks to the sales and construction history of Crimson Estates.

The Commission emphasizes the importance of a unified effort of the public and capitalizing on the short two hours allotted for the public hearing.

Brian Konoske: Speaks to the flaws in the state statute regarding preliminary municipalities. He also reads the questions that he and another resident had submitted to the Lt. Governor's office.

Another audience member asks if Mr. Avant could share additional questions on the septic/sewer systems he had presented on earlier in the meeting. She also suggests that more knowledgeable/experienced members (like Mr. Avant) of the public should speak at the public hearing rather than just residents. The Commission briefly discusses this suggestion. They also encourage that physical copies of the previously submitted material be brought to the public hearing.

A question about roads is asked and the Commission refers the public to a question listed in the Sample Questions document provided as a handout. A short discussion between the Commission and the audience ensues about roads and public safety. Mr. Avant also speaks to this inquiry.

Brian Konoske: Suggests that the first two questions in the sample questions handout be emphasized in the public hearing.

A flaw in the original map submitted by the developers is brought up and discussed briefly.

Bruce Davis: Brings up the topic of flood control and inquires if it had been addressed in the questions to be submitted.

Mr. Avant clarifies the difference between municipal costs and developmental costs and that some developmental costs had not been included in the cost

analysis submitted by the developers. Commissioner Meyeres asks Mr. Avant more about stormwater costs.

Commissioner Meyeres briefly clarifies about the municipal service fund tax that Kane County does not have, that was included in the feasibility study based upon a similar tax that was included in a different proposed municipality in Carbon County.

Audience Member: States that one of her questions had to deal with funding about private roads. Her other question focuses on water infrastructure.

JoAnn Rando-Moon: Tells the Commission her question to the Lt. Governor's Office focused on water and how the pressure will be affected if the water only comes from one tank.

Audience member asks if it would be possible to get Kanab Fire Chief to speak to the issue of water pressure in case of a fire.

Sujatha Ramakrishna: Inquires about the access limitation issue addressed by Kanab City in a letter to the Lt. Governor's office. Kanab City Manager Kyler Ludwig speaks briefly to this.

The Commission and audience go through and volunteer/assign each question on the sample question packet to be submitted.

Sujatha Ramakrishna: Asks what is supposed to happen if the Lt. Governor's office won't allow the public to speak in the public hearing. Audience members asks other questions in conjunction with this inquiry and the Commission addresses their concerns and outlines a plan for the night of the public hearing.

Attorney Stott adds input and gives suggestions to the audience and the Commission based on things discussed in the meeting.

Other last-minute questions are asked by audience members and the Commission addresses them.

Motion to adjourn
Motion: Gwen Brown
Motion passed unanimously.

Meeting adjourned at 1:30 pm

Chameill Lamb - Clerk

Celeste Meyeres - Chair

AGENDA ITEMS

ITEM # 1

Recognition of Outgoing County and Service District
Board Members for their Service to the Community

ITEM # 2

Public Hearing Regarding Appointing/Reappointing Board
Members to the Kane County Tourism Tax Advisory
Board (R 2026-4 and R 2026-5)

ITEM # 3

Kane County Resolution No. R 2026-4 A Resolution
Reappointing Paul Gagner to the Kane County Tourism
Tax Advisory Board

KANE COUNTY RESOLUTION NO. R 2026 –4

**A RESOLUTION REAPPOINTING PAUL GAGNER TO THE KANE COUNTY TOURISM
TAX ADVISORY BOARD**

WHEREAS, the term of office for Paul Gagner serving on the Kane County Tourism Tax Advisory Board, expired December 31, 2025; and

WHEREAS, the Kane County Board of Commissioners (“Commission”) has complied with the requirements to solicit applicants to serve for this board position including taking public comment; and

WHEREAS, the Commission desires to re-appoint Paul Gagner to the Kane County Tourism Tax Advisory Board;

NOW THEREFORE BE IT HEREBY RESOLVED BY THE KANE COUNTY BOARD OF COMMISSIONERS, IN AND FOR KANE COUNTY, STATE OF UTAH, AS FOLLOWS:

1. Paul Gagner is reappointed to serve as a board member on the board of the Kane County Tourism Tax Advisory Board.
2. The term is a two-year term which began on January 1, 2026 and will end on December 31, 2027 or when a replacement has been appointed, whichever is later.

ADOPTED this 13th day of January 2026.

Chair
Board of Commissioners
Kane County

ATTEST:

CHAMEILL LAMB
Kane County Clerk

Commissioner Brown voted ____
Commissioner Kubeja voted ____
Commissioner Meyeres voted ____

ITEM # 4

Kane County Resolution No. R 2026-5 A Resolution
Appointing Joseph Sorensen and Nancy Seely to the
Kane County Tourism Tax Advisory Board

KANE COUNTY RESOLUTION NO. R 2026 –5

**A RESOLUTION APPOINTING JOSEPH SORENSEN AND NANCY SEELY TO THE
KANE COUNTY TOURISM TAX ADVISORY BOARD**

WHEREAS, the term of office for Betty Chamberlain and Patrick Buhr serving on the Kane County Tourism Tax Advisory Board, expired December 31, 2025; and

WHEREAS, the Kane County Board of Commissioners (“Commission”) has complied with the requirements to solicit applicants to serve for these board positions including taking public comment; and

WHEREAS, the Commission desires to appoint Joseph Sorensen and Nancy Seely to the Kane County Tourism Tax Advisory Board;

NOW THEREFORE BE IT HEREBY RESOLVED BY THE KANE COUNTY BOARD OF COMMISSIONERS, IN AND FOR KANE COUNTY, STATE OF UTAH, AS FOLLOWS:

1. Joseph Sorensen and Nancy Seely are appointed to serve as board members on the board of the Kane County Tourism Tax Advisory Board.
2. The term is a two-year term which began on January 1, 2026 and will end on December 31, 2027 or when a replacement has been appointed, whichever is later.

ADOPTED this 13th day of January 2026.

Chair
Board of Commissioners
Kane County

ATTEST:

CHAMEILL LAMB
Kane County Clerk

Commissioner Brown voted ____
Commissioner Kubeja voted ____
Commissioner Meyeres voted ____

ITEM # 5

Kane County Resolution No. R 2026-2 A Resolution
of the Kane County Commission Expressing Support
for the Use of Septic Systems in Water-Hauling
Subdivisions and Affirming Kane County's Position of
Supporting Water Hauling when Locally Regulated by
the County Commission

KANE COUNTY COMMISSION

RESOLUTION NO. R-2026-2

A RESOLUTION OF THE KANE COUNTY COMMISSION EXPRESSING SUPPORT FOR THE USE OF SEPTIC SYSTEMS IN WATER-HAULING SUBDIVISIONS AND AFFIRMING KANE COUNTY'S POSITION OF SUPPORTING WATER HAULING WHEN LOCALLY REGULATED BY THE COUNTY COMMISSION

WHEREAS, Kane County is a rural county with unique geographic, hydrologic, and infrastructure constraints that limit the availability of centralized culinary water systems in certain areas; and

WHEREAS, water hauling has historically been, and continues to be, a lawful and practical means of providing culinary water to rural residences and subdivisions within Kane County when appropriately regulated; and

WHEREAS, Utah law recognizes the authority of counties to regulate land use, subdivisions, and local water delivery systems in a manner that reflects local conditions and community needs; and

WHEREAS, Kane County has adopted subdivision, land use, and public health standards designed to protect public health and safety while allowing reasonable rural development; and

WHEREAS, properly designed, permitted, and maintained septic systems are a widely accepted and state-approved method of wastewater treatment and disposal, including in areas served by hauled water; and

WHEREAS, numerous rural counties within the State of Utah, including counties similarly situated as Kane County specifically Juab County, Millard County, Sanpete County, Piute County, San Juan County, Sevier County, and Wayne County allow and utilize water hauling as a lawful method of culinary water delivery and permit the use of properly designed and regulated septic systems in rural subdivisions where centralized water infrastructure is not available; and

WHEREAS, the allowance of septic systems in water-hauling subdivisions is essential to maintaining property rights, and rural development in Kane County; and

WHEREAS, decisions regarding water hauling and wastewater systems are best made at the local level where the County Commission can evaluate infrastructure capacity, environmental conditions, and long-term community impacts;

NOW, THEREFORE, BE IT RESOLVED BY THE KANE COUNTY COMMISSION:

1. Support for Septic Systems in Water-Hauling Subdivisions

The Kane County Commission affirms its support for allowing the use of properly designed, permitted, and regulated septic systems within subdivisions served by hauled water, provided all applicable state and county health and land use requirements are met.

2. Support for Water Hauling as a Viable Water Supply Method

The Kane County Commission recognizes water hauling as a legitimate and necessary water supply option in rural areas of the county and supports its continued use when conducted in compliance with county standards and conditions of approval.

3. Local Control and Oversight

The Kane County Commission asserts that regulation of water hauling and associated subdivision approvals should remain under local county authority to ensure decisions reflect Kane County's unique conditions, infrastructure limitations, and community needs.

4. Coordination with Regulatory Agencies

Kane County will continue to coordinate with Southwest Utah Public Health Department, the Utah Department of Environmental Quality, and other applicable agencies to ensure public health, environmental protection, and compliance with state law.

5. Policy Statement

It is the policy of Kane County to support rural solutions, including water hauling and septic systems, that are responsibly regulated, locally controlled, and protective of public health while preserving property rights and affordability.

PASSED AND ADOPTED by the Kane County Commission this ___ day of _____, 2026.

KANE COUNTY COMMISSION

Chair

Commissioner

Commissioner

ATTEST:

Kane County Clerk

ITEM # 6

Kane County Resolution No. R 2026-3 A Resolution
Establishing Commission Assignments for 2026

KANE COUNTY RESOLUTION NO. R 2026-3

A RESOLUTION ESTABLISHING COMMISSION ASSIGNMENTS FOR 2026

WHEREAS under Kane County Code Title 1 Chapter 5 the County Commission is authorized to delegate certain executive authority by resolution; and

WHEREAS the County Commission desires to establish the delegation of certain general areas of executive authority as set forth in this resolution, for the calendar year of 2026;

NOW THEREFORE, BE IT RESOLVED BY THE KANE COUNTY BOARD OF COMMISSIONERS, IN AND FOR KANE COUNTY, STATE OF UTAH, AS FOLLOWS:

The following is a list by individual commissioner of the delegation of assignments and authority as described in Kane County Code Title 1 Chapter 5 Section 4. Each individual Commissioner listed may take unilateral executive action as described in Kane County Code Title 1 Chapter 5 Section 3, within the below listed areas of authority so long as their actions comply with Kane County Code Title 1 Chapter 5 Section 4, Utah State law, and other Kane County Ordinances, Resolutions, and other established procedures or policies, and so long as the executive actions do not spend any funds that are not already appropriated. Nothing in this resolution shall be construed to effect any current delegation of authority to any other county officer or elected official. Nothing in this resolution shall be construed to effect or limit the statutory authority of any other elected official.

Assignments:

Commissioner Brown

Alton Coal

Kane County Board of Equalization

Kane County Human Resources Department

Kane County Insurance Committee

Utah Counties Indemnity Pool

Kane County Safety Committee and Accident Review Board

Kane County Intergenerational Poverty Work Group

Kane County Library Board and Book Mobile

Kane County Surveyor

Land Use Authority Department

Kane County Planning Commission

Kane County Building Department

Liaison Canyon Land Improvement District

Liaison Kane County Assessor's Office

Liaison Kane County Conservation District

Kane County Weed Control Board

Kane County Agricultural Protection Area Advisory Board
Liaison Kane County Employees Association
Liaison Kane County Human Resources Special Service District (Hospital Board)
Liaison Kane County Justice Court
Liaison Kane County Recorder's Office
Liaison Kane County School District
Kane Schools Foundation
Liaison Kane County Treasurer's Office
Liaison Long Valley Sewer Improvement District
Liaison Western Kane County Special Service District
Mineral Lease Revenues
Predator Control Program
Alternate Utah Counties Indemnity Pool (UCIP) Voting Member
USU Extension Office/4H Coalition

Commissioner Kubeja

Building & Grounds Department (Assigned to County Sheriff)
East Zion Special Service District Ex Officio Member
Healthy Kane County Foundation
Kane County Active Living Center (Senior Center)
Kane County Council on Aging
Meals on Wheels
Kane County Care & Share
Kane County Criminal Justice Coordinating Council – (Board Member and Chair)
Kane County Fair Board
Kane County Municipal Building Authority
Utah Permanent Community Impact Board (CIB)
Utah Community Development Block Grant Program (CDBG)
Kane County Office of Tourism
Kane County Travel and Tourism Advisory Board (Travel Council)
Kane County Volunteer and Events Center
Kanab Center
Kane County Public Defender
Kane County Redevelopment Agency (RDA)
Liaison Cedar Mountain Special District
Liaison Church Wells Special Service
Liaison Kane County Attorney's Office
Kane County Victim Services
Kane County Children's Justice Center

Kane Community Coalition
Liaison Kane County Clerk Auditor's Office
Liaison Kane County Sheriff's Office
Liaison Kane County Water Conservancy District
Liaison Trails Committee
Liaison Zion Mountain Local Service District
Utah Association of Counties (UAC) Voting Board Member
Utah Counties Indemnity Pool (UCIP) Voting Member

Commissioner Meyeres

American Lands Council
Communications
Five County Association of Governments
 Steering Committee
 Human Services Council
Government Affairs
 Kane County Public Lands Department
 GIS Department
Kane County Economic Development Board (CED)
Information Technology Systems (ITS) Department
Kane County Center for Education Business and the Arts Interlocal Agency (CEBA)
Kane County Finance Committee (Chaired by County Treasurer)
Kane County Roads Department
Kane County Resource Development Committee (Board Member)
Liaison Kane County Recreation and Transportation Special Service District
Liaison with Federal and Utah State Legislature
Payment in Lieu of Taxes payments (PILT)
Public Land Agencies:
 Department of the Interior
 United States Department of Agriculture
 United States Forest Service
 United States Bureau of Land Management
 Grand Staircase Escalante National Monument Advisory Committee (MAC)
 State Parks
 National Parks
RS 2477 Litigation
State of Utah School and Institutional Trust Lands Administration (SITLA)
Secure Rural Schools payments (SRS)
Southwest Behavioral Health Center (Board Member)

Southwest Utah Public Health Department (Board Member)
Utah Department of Transportation (UDOT)
Joint Highway Committee
Utah Constitutional Defense Council

Full Commission – Specifically Non-delegated Assignments

Budget Development
Commission Agendas
Compensation & Benefits
Liaison with Towns & Cities
National Association of Counties (NACO)
Utah Association of Counties (UAC)
Utah State Association of County Councils and Commissions (USACCC)
Any other executive duty not listed above

ADOPTED this 13th day of January, 2026.

ATTEST:

CHAMEILL LAMB
Kane County Clerk

Gwen Brown, Chair
Board of Commissioners
Kane County

Commissioner Kubeja voted ____
Commissioner Meyeres voted ____
Commissioner Brown voted ____

ITEM # 7

Discuss/Vote on Cooperative Road Maintenance
Agreement with Garfield County

Cooperative Road Maintenance Agreement

This cooperative road maintenance agreement is entered into this 13th day of January, 2026, by and between the Board of County Commissioners, Kane County, UT, hereinafter referred to as "Kane" and the Board of County Commissioners, Garfield County, UT, hereinafter referred to as "Garfield".

WHEREAS Kane and Garfield are responsible for the general health and welfare of residents and visitors in their respective Counties; and

WHEREAS Kane and Garfield are responsible for the construction and maintenance of certain roads within their respective Counties; and

WHEREAS Kane and Garfield desire to formulate an agreement with respect to maintenance of certain roads under their jurisdiction in accordance with the Interlocal Cooperation Act, U.C.A. Title 1 Chapter 13;

Therefore it is mutually agreed as follows:

1. **Duties:** Garfield shall perform maintenance and repair in accordance with Class Broad standards on the following roads in Kane County as shown on Exhibit A: Smokey Mountain Road, County Road number K8000; and Hole in the Rock Road, County Road number K9000. Garfield may perform maintenance and repair, at Garfield County's discretion, on the Class D roads shown on Exhibit A, namely Croton Road, County Road number K8400 and Left Hand Collet Canyon Road, County Road number K8500, and on any other Class D road located in Kane County that are accessed through Garfield County. Maintenance and repair includes but is not limited to work necessary to preserve the existing roads, including the physical upkeep or repair of wear or damage resulting from natural or other causes, maintaining the shape of the road, re-grading, making sure the shape of the road permits drainage, keeping drainage features open and operable consistent with State and Federal law, and maintaining the roads in compliance with any other relevant state statute or regulation. Garfield will make no significant alterations by expanding the size or changing the location of any road without prior consultation with Kane. Kane and Garfield may meet annually or more frequently to consult regarding road improvement projects or to discuss this agreement.
2. **Emergency Operations:** No prior approval will be necessary for road maintenance as described in Section 1. Approval will only be necessary for significant alterations to the roads. If Garfield feels that a significant alteration to a road is necessary and there is an emergency situation that presents potential harm or a substantial inconvenience to the public, Kane agrees to use its best efforts to communicate and expedite any necessary approvals.

3. **Term:** This agreement shall be effective beginning January 1, 2026, and shall continue until December 31, 2031. The agreement may be extended for additional periods with the mutual consent of the parties. Either party may terminate this agreement by providing written notice to the other party. Termination will be effective the month after the written notice is provided, on the last day of that calendar month. Kane shall compensate Garfield as set forth in this agreement for the period of time up to the termination date. Garfield shall fully comply with their obligation to maintain the roads named in this agreement at Class B standards until the termination date.
4. **Compensation:**
 - A. **Intent:** Kane receives funds from the State of Utah through the Utah Department of Transportation (UDOT) to maintain Class B county roads. These are the only funds that Kane uses to maintain these roads. The intent of this agreement is to compensate Garfield by paying a percentage of the State funding that Kane receives for Class Broad. The percentage as shown in Subsection 4-C represents as best as possible the percentage of Class B roads in Kane County named in this agreement.
 - B. **Bi-monthly Payment Periods:** UDOT provides state funds for Class B roads to Kane on a bi-monthly basis (six times a year). This Agreement will use the same bi-monthly schedule as UDOT to establish Bi-Monthly Payment Periods.
 - C. **Compensation Amount:** For each Bi-Monthly Payment Period, as described in Subsection 4-B, Kane shall multiply the total amount of the bi-monthly payment received from UDOT by five percent (5%, 0.05). The product of this equation will be the Compensation Amount for the respective Bi-monthly Payment Period.
 - D. **Compensation Due Date:** Kane shall deliver each bi-monthly Compensation Amount to Garfield no later than thirty (30) days after receiving each bi-monthly payment from UDOT.
 - E. **Partial Payment upon Early Termination:** If this agreement is terminated by either party before the end of the initial term, Kane will compensate Garfield for each month of work performed under the agreement. If the termination date splits the two months of any bi-monthly compensation period, Kane shall compensate Garfield exactly one half of the final Bi-monthly Payment Period Compensation Amount.
 - F. **Full Compensation:** The compensation described in Section 4 will be the full compensation for any and all maintenance and repair or other work that Garfield completes on the roads named in this agreement. Kane will give no further compensation

for any maintenance and repair or other work completed on the roads named in this agreement.

5. Other: Nothing in this agreement shall prohibit Kane or Garfield from establishing other cooperative relationships for road maintenance or for other County functions. This agreement may be amended by mutual consent. Such amendment shall be in writing and shall be effective when signed by both parties.

In witness whereof, the parties have executed this Cooperative Road Maintenance Agreement in duplicate originals on the day and year first written above.

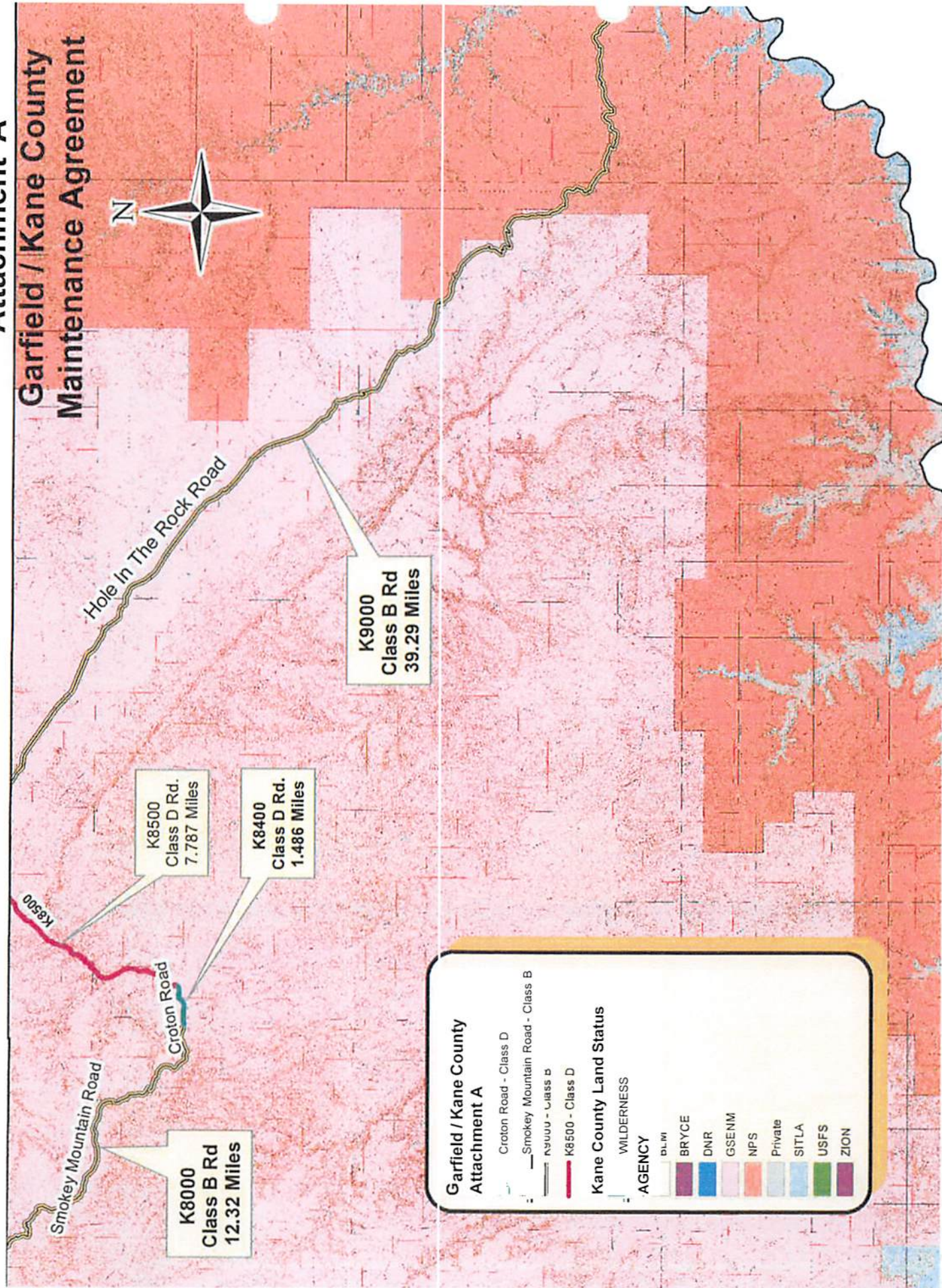
Kane County Commission Chair

Garfield County Commission Chair

EXHIBIT A

Attachment A

Garfield / Kane County Maintenance Agreement



ITEM # 8

Review of Legislative Issues

ITEM # 9

Commissioner Report on Assignments