

**COMMISSION MEETING
PACKET**

DATE:

August 4, 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, August 4, 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: July 15, 2026-\$241,335.09, July 22, 2026-\$284,050.50 and July 29, 2026-\$82,005.24

Approval of: Commission Meeting Minutes for July 14, 2026

REGULAR SESSION:

1. Recognition of JT Button as Kane County Cowboy of the Year / Commissioner Kubeja
2. Employee Extra Miler Award for Christian Reed / Commissioner Meyeres
3. Discuss/Vote on Land Use Agreement for Appeal Authority Services / Commissioner Brown
4. Review and Acceptance of KCTTAB Recommendations for TRT/TRCCA Expenditures for 2026 / Commissioner Kubeja
5. Financial Update-Chameill Lamb / Full Commission
6. Review of Legislative Issues / Full Commission
7. 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: July 15, 2026-\$241,335.09, July 22,
2026-\$284,050.50, and July 29, 2026-\$82,005.24

Commission Meeting Minutes for July 14, 2026

**MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
July 14, 2026 at 10:00 AM
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH**

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

Other County Officials in Attendance: Attorney Jeff Stott, Clerk/Auditor Chameill Lamb (Online), Sheriff Tracy Glover, and Shannon McBride

CALL MEETING TO ORDER: Commissioner Brown

WELCOME: Commissioner Brown

INVOCATION: Tammy Leavitt

PLEDGE OF ALLEGIANCE: Andrew Heaton

PUBLIC COMMENT:

Tammy Leavitt expressed concerns regarding a proposed RV park and campground at Deer Springs Ranch, citing a lack of notification to residents and potential negative impacts on water usage, trash management, road maintenance, and fire safety.

CONSENT AGENDA:

Check Edit Report: July 1, 2026-\$90,196.26 and July 8, 2026-\$910,479.45

Approval of: Commission Meeting Minutes for June 30, 2026 and July 2, 2026

Motion to approve the Check Edit Report from July 1, 2026-\$90,196.26 and July 8, 2026-\$910,479.45 and the Commission Meeting Minutes for June 30, 2026 and July 2, 2026 made by Commissioner Brown and motion carried with all commissioners present voting in favor.

REGULAR SESSION:

1. Introduction of Andrew Heaton, the New USU Extension AG Agent-Elizabeth Davis / Commissioner Brown

Andrew Heaton was introduced as the new Utah State University extension agent, tasked with supporting agricultural needs across the county.

2. Discuss/Vote on Kane County Ordinance No. O 2026-20 An Ordinance Amending the Zoning of Parcel 323-8 in the Windmill Ranch Unimproved Subdivision Zoned AG-FAA to Agricultural / Commissioner Brown

Shannon explained that the property owner requested the zone change to allow for a single yurt to rent out once in a while.

Motion to approve Ordinance No. O 2026-20 amending the zoning of parcel 323-8 in the Windmill Ranch Unimproved Subdivision currently zoned AG-FAA to Agricultural with the findings in the staff report made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

3. Discuss/Vote on Certification by Chief Executive Officer on the Department of Justice (DOJ) Grant of up to \$800,000 / Full Commission

Alan stated that they are in the process of applying for a DOJ grant because of our participation in the 287G program with ICE. It is 100% grant money, there is no match. With the grant they are looking at upgrading some of the systems at the jail, getting a couple of patrol vehicles, and then getting some night vision goggles.

Motion that the commission chair signs this application so they can put in for this money and also have the commission chair sign it, up to \$800K, if we are granted the money made by Commissioner Brown and motion carried with all commissioners present voting in favor.

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

4. Review of Legislative Issues / Full Commission

Wildland Urban Interface (WUI) bill

Preliminary Municipalities bill

The commission addressed the recent presidential proclamation to reduce the size of the Grand Staircase Escalante National Monument

5. Commissioner Report on Assignments / Full Commission

Commissioner Brown

- The county is hiring a full-time position for the senior center
- Had the opportunity to go to the Grand Canyon to assess fire damage and discuss rebuilding plans with representatives
- Thanked Kanab City Fire Department for their fast response to a fire out east

Commissioner Meyeres

- Meeting and getting started on the Skutumpah project
- Working on drainage issues on Mountain View Road
- Setting aside TRT money to address road issues
- In 2027 UDOT will be working to use federal and state money to maintain and repair Coral Pink Sand Dunes Road
- Have had some favorable decisions from the Department of Justice regarding disclaimers of interest
- The North Kaibab trailhead is open
- Point Imperial is open

Commissioner Kubeja

- Great 4th of July
- Kane County Fair is coming up

Motion to adjourn at 10:48 AM made by Commissioner Brown and motion carried with all commissioners present voting in favor.

WHERE UPON MEETING WAS ADJOURNED

Gwen Brown Chair

Chameill Lamb Clerk/Auditor

AGENDA ITEMS

ITEM # 1

Recognition of JT Button as Kane County Cowboy of the
Year

ITEM # 2

Employee Extra Miler Award for Christian Reed

ITEM # 3

Discuss/Vote on Land Use Agreement for Appeal
Authority Services

KANE COUNTY COMMISSION AGENDA REQUEST

Date of Commission Meeting Requested: August 4, 2026

Dept. /Business Name: Land Use

Topic/Re: Land Use Appeal Authority Services

Public Hearing: No

Description: Ratify the Land Use Authority's Decision and Contract for a new Appeal Authority

Attachments: Contract, Acceptance letter

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:



**KANE COUNTY
LAND USE AUTHORITY**

76 N. Main St.
Kanab, Utah 84741

(435)644-4966
planning@kane.utah.gov

February 15, 2023

Bryan Pattison
50 East 100 South, Suite 101
St. George, Utah 84770

Dear Mr. Pattison,

We have enclosed our contract for Appeal Authority Services. If this agreement is acceptable to you, please sign and return the original to our office.

If you have any questions, please don't hesitate to call.

We look forward to working with you.

Sincerely,

Shannon McBride,
Kane County Land Use Administrator

SM/wfa

Enc: Agreement for Appeal Authority Services



**KANE COUNTY
LAND USE AUTHORITY**

76 N. Main St.
Kanab, Utah 84741

(435)644-4966
smcbride@kane.utah.gov

July 27, 2026

Snow Caldwell Beckstrom & Wilbanks, PLLC
253 W. St. George Blvd, Ste 100
St. George, Utah 84770

Dear Mr. Snow,

Congratulations! We have accepted your bid for the Kane County Appeal Authority. The Commissioners will ratify the decision and contract on Tuesday, August 4th, 2026. We have enclosed our contract for Appeal Authority Services. If this agreement is acceptable to you, please sign and return the original to our office.

If you have any questions, please don't hesitate to call.

We look forward to working with you.

Sincerely,

Shannon McBride,
Kane County Land Use Administrator

Enc: Agreement for Appeal Authority Services

AGREEMENT FOR APPEAL AUTHORITY SERVICES

AGREEMENT between Kane County, a political subdivision of the State of Utah, and Heath H. Snow, Esq. and the law firm of Snow Caldwell Beckstrom & Wilbanks, PLLC ("SCB&W") for the purpose of providing Appeal Authority services as set forth below.

RECITALS

WHEREAS, the Kane County Land Use Ordinances require the appointment by the Kane County Commission of a Kane County appeal authority; and

WHEREAS, the Appeal Authority is tasked with hearing and deciding (1) requests for variances from the land use ordinance, (2) appeals from decisions applying to the land use ordinances, upon proper grounds, and (3) appeals from any final decision of the land use authority, (4) appeals from the denial of a business license by the Kane County Clerk, and (5) appeals from land use fees charged; and

WHEREAS, the appeal authority is required to meet on an "as required" basis, act in a quasi-judicial manner, administer oaths, compel witnesses, keep minutes of appeal authority meetings and other official actions; and

WHEREAS, the County Commission desires to appoint Heath H. Snow, Esq. as the Appeal Authority, who is able and willing to provide service as the Appeal Authority.

AGREEMENT

NOW THEREFORE, the parties hereby mutually agree as follows:

1. The Kane County Appeal Authority, shall hear appeals submitted in accordance with the Kane County Land Use Ordinance and the Kane County Business License Ordinance and Utah State Law.

2. Appeal Authority shall handle all appeals in a professional and efficient matter including the following:

- a. Keep all parties informed about the status of pending matters and promptly comply with requests for information.
- b. Advise all parties of all hearings and appearances.
- c. Appear on a reasonably expedited basis, subject to conflicts with Appeal Authority's schedule.
- d. Fix a reasonable time for the hearing of appeals and give due notice to the parties in interest.
- e. Issue a written decision within thirty (30) days of the decision being made.

3. Appeal Authority shall not waive or modify the terms or requirements of the Kane County Land Use Ordinances, the granting of an appropriate variance being the only exception.

4. Appeal Authority shall hold hearings and meetings "as required."

5. Appeal Authority shall act in a quasi-judicial manner, administer oaths, compel attendance of witnesses, keep minutes of its proceedings and keep records of its examinations and other official actions, making those minutes and records available to Kane County and the public in a reasonably prompt manner.

6. Appeal Authority, in making its decision regarding appeals, shall comply with all federal, state, and local laws governing the matter at hand.

7. The Appeal Authority shall establish rules and procedures for appeals, hearings, and presentations of evidence, where not specified in the Utah State Code or the Kane County Land Use Ordinance and Kane County Business License Ordinance.

8. Kane County will defend Appeal Authority against any and all matters and proceedings arising out of or related to a decision or action of the Appeal Authority made in relation to the ordinances of the County and the laws of the State of Utah and will hold harmless and indemnify Appeal Authority from and against any claim, cause of action, damage, liability, penalty or other form of relief for any action or decision of Appeal Authority, unless it is determined the Appeal Authority engaged in any intentional wrongful acts.

9. The Appeal Authority will hold Kane County harmless for any intentional wrongful acts of the Appeal Authority.

10. In the event of a conflict of interest between parties and Appeal Authority, the Appeal Authority shall inform all parties and recuses himself, unless a written waiver of the conflict is received by all parties to the appeal. Upon recusal, the Kane County Commission shall appoint a conflict appeal authority to hear and decide the matter.

11. Kane County reserves the right, pursuant to the Kane County Land Use Ordinance, to appoint an interim appeal authority in the event that the Appeal Authority is temporarily unable to act owing to absence from the county, illness, disability, interest in a case before the appeal authority or other reason deemed appropriate by the Kane County Commission.

12. The Appeal Authority fees for services will be Two Hundred Ninety Five Dollars (\$295) per hour for time spent at or in preparation for a hearing, post hearing review, analysis, drafting of decision and minutes, and travel. Fees for services rendered by other attorneys, paralegals, and legal assistants of SCB&W in connection with the afore-mentioned Appeal Authority services will be those set forth in Exhibit "A" to this Agreement. Kane County will also reimburse SCB&W for any costs advanced on behalf of the County in providing the Appeal Authority services in the incremental amounts set forth in Exhibit "A" to this Agreement. Such fees and costs shall be paid within thirty (30) days of an invoice being received for services rendered.

13. This Agreement shall be in effect for a period of four~~five~~ (5) years and may be terminated at any time for cause or no cause, by either party, after sixty (60) days written notice.

IN WITNESS WHEREOF, the parties have executed this Agreement for Appeal Authority Service this 4th day of August, 2026.

KANE COUNTY:

APPEAL AUTHORITY:

Gwen Brown, Chair
Kane County Board of Commissioners

Heath H. Snow, Esq. both personally and on behalf of Snow Caldwell Beckstrom & Wilbanks, PLLC Appeal Authority

APPROVED AS TO FORM AND LEGAL CONTENT:

Jeff Stott
Kane County Attorney

EXHIBIT "A"
(Agreement for Appeal Authority Services)

PROFESSIONAL FEES (HOURLY)

<u>Attorneys (Partners & Associates)</u>	<u>\$295.00</u>
<u>Paralegal</u>	<u>\$180.00</u>
<u>Legal Assistant</u>	<u>\$140.00</u>

COSTS ADVANCED

<u>Filing Fees</u>	<u>Actual cost</u>
<u>Service of Process Fees</u>	<u>Actual cost</u>
<u>Court Reporter Fees</u>	<u>Actual cost</u>
<u>Credit Card Payment Convenience Fee</u>	<u>3%</u>
<u>Copies</u>	<u>\$.20 per page</u>
<u>Facsimile (incoming)</u>	<u>\$.30 per page</u>
<u>Facsimile (outgoing)</u>	<u>\$.50 per page</u>
<u>Postage</u>	<u>Actual cost</u>
<u>Postage (overnight-express)</u>	<u>Actual cost</u>
<u>Online Legal Research (Lexis - Nexis)</u>	<u>\$40.00 per session</u>
<u>Online Searches (Pacer/XChange, etc)</u>	<u>\$15.00 per search</u>
<u>Mileage</u>	<u>\$.76 per mile</u>
<u>Other Travel Costs</u>	<u>Actual cost</u>

ITEM # 4

Review and Acceptance of KCTTAB
Recommendations for TRT/TRCCA Expenditures for
2026

2026 KCTTAB TRT Expenditures for Review

Expenditure	Estimated \$
Kanab Visitor Center Digital Kiosks	\$40K
Roads (with carry over from 2025 \$1.5M)	\$1.5M
EMS	\$425K
Mitigation: dumpsters - Belly of Dragon, Peekaboo, Sand Caves & Toadstools Porta Potty - split with BLM Toadstools	\$10K
KCOT Operating/Marketing	\$2.2M
East Zion RDA CRA tiff (portion of TRT goes to service district)	\$35K
Fair Grounds Showbarn	\$100K
Community Grants	\$50K
Signage TRT related county building	\$65k
Outreach/Roadshed Bond payments	\$132k
Stellar Vista Observatory	\$106,987

ITEM # 5

Financial Update

ITEM # 6

Review of Legislative Issues

ITEM # 7

Commissioner Report on Assignments