

**COMMISSION MEETING
PACKET**

DATE:

September 15, 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, September 15, 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: August 26, 2026-\$106,412.21, September 2, 2026-\$691,956.32 and September 9, 2026-\$647,972.10

Approval of: Commission Meeting Minutes for August 25, 2026

REGULAR SESSION:

1. **Public Hearing Regarding Kane County Ordinance O 2026-23 and O 2026-24**
2. **Discuss/Vote on Kane County Ordinance No. O 2026-23 An Ordinance Vacating Four Seven and a Half Foot Public Utility Easements in the Navajo Lake Estates Unit No. 4 Subdivision Amended Lots 40, 41 and 42 / Commissioner Brown**
3. **Discuss/Vote on Kane County Ordinance No. O 2026-24 An Ordinance Amending and Vacating, Amended Lot 6-220 in the Vermillion Cliff Estates Subdivision, Vacating Two 30 Foot Portions out of Lot 6-220 and Placing Them into Parcels 3-5-32-1 and 3-5-32-3 / Commissioner Brown**
4. **Discuss/Vote on Kane County Resolution No. R 2026-14 A Resolution Supporting Operation Green Light for Veterans / Commissioner Kubeja**

- 5. Discuss/Vote on Kane County Resolution No. R 2026-15 A Resolution of the Kane County Commission Calling for the Repeal of Utah's Preliminary Municipality Law and Termination of the Preliminary Municipality Pilot Program / 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: August 26, 2026-\$106,412.21,
September 2, 2026-\$691,956.32, and September 9, 2026-
\$647,972.10

Commission Meeting Minutes for August 25, 2026

**MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
August 25, 2026 at 10:00 AM
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH**

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

Other County Officials in Attendance: Attorney Jeff Stott, Clerk/Auditor Chameill Lamb, Shannon McBride, Janette Peatross, and Taylor Glover

CALL MEETING TO ORDER: Commissioner Brown

WELCOME: Commissioner Brown

INVOCATION: Commissioner Meyeres

PLEDGE OF ALLEGIANCE: Commissioner Brown

PUBLIC COMMENT:

Robert Sharbonoh, a trustee for Heritage Acres, commented on the proposed ordinance change for R-5 zoning, expressing support for a 10-trailer limit but advising against a 30-day time limit.

Tracy Sanford, also a Heritage Acres trustee, spoke about the history of their 5-acre property, noting that they had improved the land with utility hookups and facilities, and urged the commission to protect their property rights to maintain family traditions.

CONSENT AGENDA:

Check Edit Report: August 5, 2026-\$697,496.93, August 12, 2026-\$200,235.84 and August 19, 2026-\$480,866.37

Approval of: Commission Meeting Minutes for August 4, 2026

Motion to approve the Check Edit Report from August 5, 2026-\$697,496.93, August 12, 2026-\$200,235.84 and August 19, 2026-\$480,866.37 and the Commission Meeting Minutes for August 4, 2026 made by Commissioner Brown and motion carried with all commissioners present voting in favor.

REGULAR SESSION:

1. Recognition of JT Button as Kane County Cowboy of the Year / Full Commission

The commission recognized JT Button as the Kane County Cowboy of the Year, praising his work ethic and character.

2. Discuss/Vote on \$5,000 of Governor's Office of Economic Development's Rural County Development Grant Being Allocated to Kane County Farm Bureau for Workforce Development, Recruitment, Education and Training / Commissioner Meyeres

Commissioner Meyeres proposed that we have the annual \$5K contribution to the Farm Bureau come from the Governor's Office of Economic Development's Rural County Grant instead of the general fund.

Motion to allocate \$5K of the Governor's Office of Economic Development Rural County Development Grant being allocated to Kane County Farm Bureau for workforce development, recruitment, education and training 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 Kane County Ordinance No. O 2026-21 An Ordinance Revising Kane County Building Codes and Regulations 8-1-3 and the Land Use Ordinance Title 9 Chapter 21 Subdivision Regulations 9-21B-1 and 9-21K-3 Rural Unimproved Split Applications of Kane County / Commissioner Brown

Attorney Stott stated that this ordinance would require that an applicant provide will-serve letters from any service district that provides services to the property before the Land Use Dept. would issue a building permit or approve a subdivision application. This issue came up with the Vermillion Cliffs Special Service District and the one-time fee new residents have to pay when they move in or they are building new dwellings, but applies to all special service districts. Attorney Stott also clarified that he is the attorney for the Vermillion Cliff Special Service District.

Motion to approve Kane County Ordinance O 2026-21 an Ordinance Revising Kane County Building Codes and Regulations 8-1-3 and the Land Use Ordinance Title 9 Chapter 21 Subdivision Regulations 9-21B-1 and 9-21K-3 Rural Unimproved Split Applications of Kane County as presented made by Commissioner Brown and motion carried with all commissioners present voting in favor.

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

4. Discuss/Vote on Kane County Ordinance No. O 2026-22 An Ordinance Revising Kane County Land Use Ordinance Title 9 Chapter 6 Residential Regulations Article E Recreational Vehicle Regulations Within Residential Zones. Changes to be Contemplated Include How Many RVs are Allowed in Lots, for How Long, and What Process to Follow for Permitting / Commissioner Brown

Attorney Stott stated that right now without this ordinance if you want more than two additional RVs then you would get a Temporary Use Permit, which applies to all residential zones. With this ordinance you can still access the Temporary Use Permit, this process allows a second way to get more than two RVs and that is through a Conditional Use Permit (CUP) and only allows it in R-5 non-subdivision parcels. With the CUP you only have to apply once and can keep it forever as long as you comply with the conditions versus the Temporary Use Permit, which has to go in front of Land Use every time you need to renew it. The second part applies to how many days you can have the additional RVs.

Motion to deny Ordinance 2026-22 made by Commissioner Brown and motion failed with Commissioner Brown voting aye and Commissioner Kubeja and Commissioner Meyeres voting nay.

Motion to approve Kane County Ordinance O 2026 22 with the changes on #4 adding “residential” to the word setback then take out “additional” in the C (i) and then under C (2) (ii)take out “(30) accumulative days per calendar year and put “seasonal use” made by Commissioner Kubeja and motion carried with Commissioner Kubeja and Commissioner Meyeres voting aye and Commissioner Brown voting nay.

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

5. Discuss/Accept the 2026 Cooperative Marketing Grant Tier 1 for \$157,200 / Commissioner Kubeja

The commission reviewed the 2026 Cooperative Marketing Grant tier one for \$157,200, which is administered through the Utah Office of Tourism and requires a matching contribution from the county.

Motion to accept the 2026 Cooperative Marketing Grant Tier 1 for \$157,200 with the caveat that it be reviewed by our attorney and give authority to have our Tourism Director Janette or a commissioner to sign when the paperwork comes through made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

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

6. Discuss/Vote on Expenditure of TRT Funds for \$110,000 to the Kane County Water Conservancy District for Bathrooms and Shaded Pavilions at the Jackson Flat Reservoir / Full Commission

Commissioner Kubeja presented a proposal to allocate \$110,000 in Transient Room Tax (TRT) funds to the Kane County Water Conservancy District for the construction of bathrooms and a shaded pavilion at the Jackson Flat Reservoir. This expenditure would utilize part of the \$500,000 project budget established for the year, leaving \$50,000 remaining. The funds are necessary to fulfill the contract for the project.

Motion to approve an expenditure of \$110,00 from our TRT Project Fund line item granted to the Kane County Water Conservancy District for bathrooms and a shaded pavilion at the Jackson Flat Reservoir made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

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

7. Discuss/Vote on Five County Association of Governments Area Agency on Aging FY27 Contract / Commissioner Kubeja

The commission reviewed the fiscal year 2027 contract for the Five County Association of Governments Area Agency on Aging, which involves funding for Meals on Wheels, congregate meal services, and senior transportation.

Motion to approve the Five County Association of Governments Area Agency on Aging Fiscal Year 27 Contract 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

8. Review of Legislative Issues / Full Commission

Wildland Urban Interface Bill
Preliminary Municipality Bill

9. Commissioner Report on Assignments / Full Commission

Commissioner Kubeja

- We had a successful fair and rodeo
- The county will be taking the electric chargers offline
- The Roadless Rule comment period is now

Commissioner Brown

- Larry Crutchfield is resigning from Planning & Zoning, so they are looking for a new member
- Signed a new contract for the predator control program

Commissioner Meyeres

- Had a meeting in Springdale and expressed how down our tourism is in Kane County. It seems to be a correlation with the closures of Zion on the eastside to large vehicles
- Raising Kane Business Summit will be on January 8th
- Construction is still being completed on Skutumpah Road, Johnson Canyon Road, and Mountain View Road

Motion to adjourn at 11:29 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

Public Hearing Regarding Kane County Ordinance O
2026-23 and O 2026-24

ITEM # 2

Discuss/Vote on Kane County Ordinance O 2026-23 An
Ordinance Vacating Four Seven and a Half Foot Public
Utility Easements in the Navajo Lake Estates Unit No. 4
Subdivision Amended Lots 40, 41 and 42

KANE COUNTY COMMISSION AGENDA REQUEST

Date of Commission Meeting Requested: 9-15-2026

Dept. / Business Name: Land Use

Topic/Re: O-2026-23 Termination of Easements: Jefferson & Shandell Rogers

Public Hearing: Yes

Description: O-2026-23 Terminating Public Utility Easements / Jefferson & Shandell Rogers

Parcel: 73-40, 73-41, 73-42

Zoned: R-1/2

Attachments: Ordinance 2026-23, Plat, Staff Report

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:

KANE COUNTY ORDINANCE NO. O-2026-23

**AN ORDINANCE VACATING FOUR SEVEN AND A HALF FOOT PUBLIC UTILITY
EASEMENTS IN THE NAVAJO LAKE ESTATES, UNIT NO. 4 SUBDIVISION
AMENDED LOTS 40, 41 AND 42**

WHEREAS, the Kane County Administrative Land Use Authority and the Kane County Board of Commissioners desire to vacate four 7.5-foot public utility easements (P.U.E.) between lots 40, 41 and 42; and

WHEREAS, the proposed vacating of four 7.5- foot PUE complies with Utah Code §17-79-201, 17-79-711, 17-79-713, and 17-73-504; and

WHEREAS, the Kane County Administrative Land Use Authority has found good cause to vacate the four 7.5-foot public utility easements; and

WHEREAS, Utah Code §17-79-713: a) good cause exists for the vacation; and b) the public interest or any person will not be materially injured by the proposed vacation. All public utility providers signed termination agreements; and

WHEREAS, after a duly noticed public meeting, the Kane County Administrative Land Use Authority recommended approval of the proposed amendment and vacation; and

WHEREAS, the Kane County Board of Commissioners finds it in the public interest to implement the proposed amendment to vacate the four 7.5-foot public utility easements good cause exists for the vacation; and b) the public interest or any person will not be materially injured by the proposed vacation; and

WHEREAS, all public utility providers signed termination agreements; and

NOW THEREFORE, the legislative body the Board of Commissioners of Kane County, State of Utah, hereby ordains as follows:

Section 1. *Vacation of Utility Easement.*

The four 7.5-foot public utility easements located in between lots 40, 41 & 42 are hereby vacated.

Section 2. *Legal Description of properties.*

ALL OF LOTS 40, 41 & 42 Navajo Lake Estates Unit 4

Section 4. Effective Date.

This Ordinance shall be deposited in the Office of the Kane County Clerk and shall take effect fifteen (15) days after the date signed below.

Section 5. Publication.

The Kane County Clerk is hereby directed to publish a short summary of this Ordinance, including the names of the Commissioners voting for and against it, along with a statement that a complete copy is available for public inspection at the Office of the County Clerk. This publication shall appear at least once in a newspaper of general circulation within Kane County or as otherwise required by Utah law.

End of Ordinance.

ADOPTED this ____ day of _____, 2026.

Commissioner Brown voted _____
Commissioner Kubeja voted _____
Commissioner Meyeres voted _____

COUNTY:

Kane County, a political subdivision of the State of Utah

By: _____

Gwen Brown
Chair, Kane County Commission

Corporate Acknowledgment

State of Utah

§
County of _____)

On this ____ day of _____, in the year 20____, personally appeared before me
Date Month Year
_____, whose identity is personally known to me (or proven on the basis
Name of document signer
of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the

_____ of _____ and that said
Title of office Name of Organization
document was signed by him/her in behalf of said Corporation by Authority of its Bylaws, or (Resolution
of its Board of Directors), and also acknowledged to me that said Corporation executed the same.

Witness my hand and official seal.

(Notary signature)

(Notary Seal)

Notary Printed Name _____ My Commission Expires _____

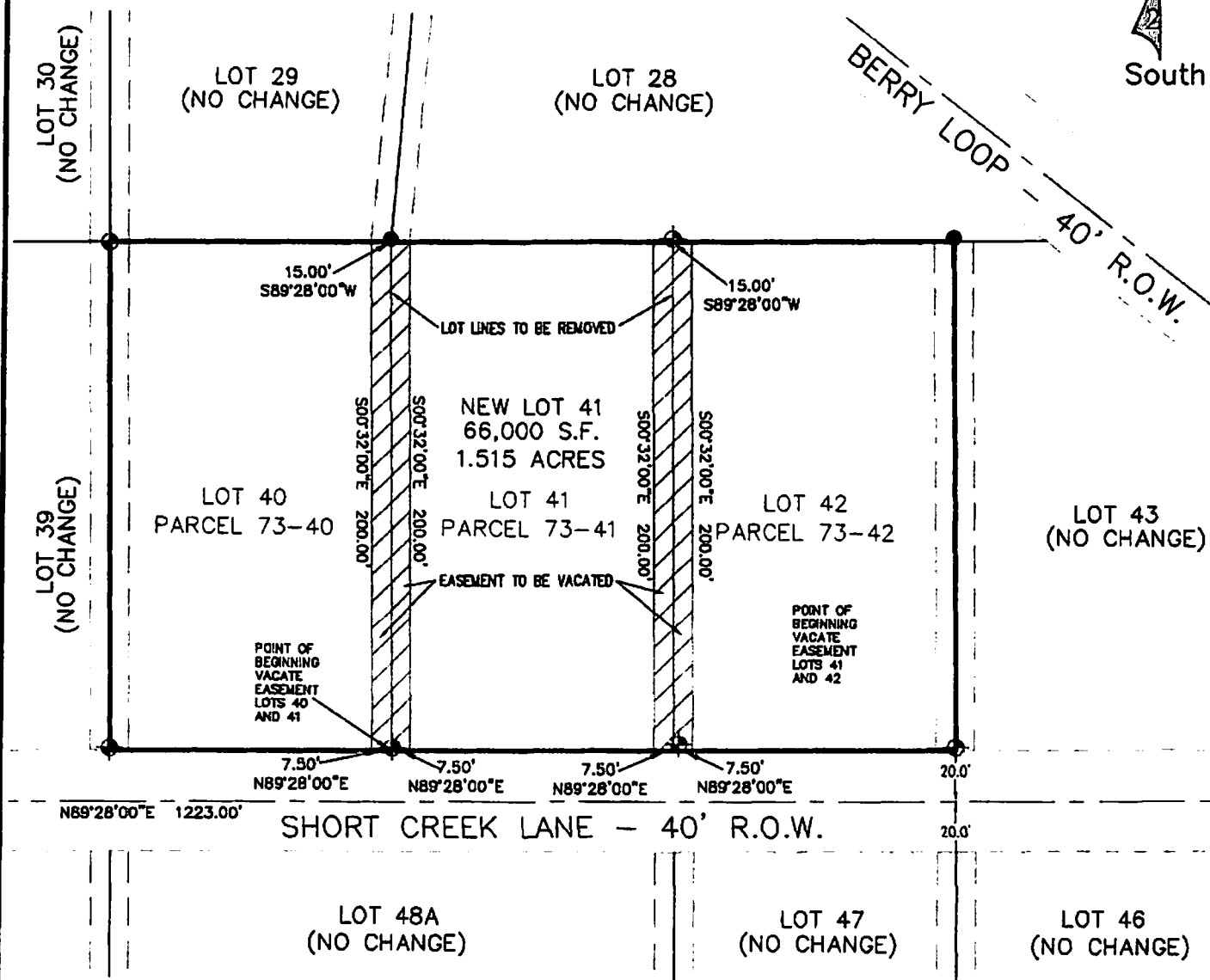
Residing in _____, County

VACATE EASEMENT EXHIBIT

LEGEND

- DENOTES #5 REBAR W/PLASTIC CAP STAMPED "SURVEYOR222"
- ⊕ DENOTES FOUND #4 REBAR W/NO CAP (U.N.O.)
- DENOTES 7.5 FEET UTILITY EASEMENT
- DENOTES PARCEL BOUNDARY
- DENOTES ADJACENT LOT LINE
- - - - - DENOTES ROAD RIGHT-OF-WAY

TWO STRIPS OF LAND 15 FEET WIDE, LOTS 40, 41, & LOT 42, NAVAJO LAKE ESTATES, UNIT NO. 4
 LOCATED IN THE SW 1/4 OF SECTION 13,
 TOWNSHIP 38 SOUTH, RANGE 9 WEST OF THE
 SALT LAKE BASE AND MERIDIAN,
 KANE COUNTY, UTAH



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60 30 0 60

SCALE: 1" = 60'

EXHIBIT C

DRAWN DMH	DATE 06/11/26	3330, 3330, 3340 Short Creek Ln
APPROVED JVH	DATE 06/11/26	Duck Creek Village, UT
SCALE 1" = 80'	SHEET 1 OF 1	PROJECT NO. 2473



Administrative Land Use Staff Report

DATE: Wednesday, August, 2026, at 4:00 p.m.

The **Kane County Administrative Land Use Authority (ALUA)** met in the **Land Use Office** located at the Kane County Courthouse, 76 N. Main Street, Kanab, Utah. During this meeting, the ALUA **approved** the full boundary adjustment application and recommended Ordinance 2026-23 vacating four (4) 7.5-foot Public Utility Easements, to the Kane County Commissioners based on the findings outlined in **Utah State Code §17-79-711 & 713**. The application complies with all applicable land use regulations, land use decisions, and development standards that were in effect at the time the complete application was submitted.

Findings:

- 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 full boundary adjustments.
- Utah Code §17-79-713:
 - a) good cause exists for the vacation; and b) the public interest or any person will not be materially injured by the proposed vacation. All public utility providers signed termination agreements.

Approval:

The application for a full boundary adjustment submitted on behalf of Jefferson K. Rogers and Shandell Rogers combining lots 40, 41, & 42 in the Navajo Lake Estates, Unit No. 4 through a full boundary adjustment and Ordinance O-2026-23 for vacating four (4) 7.5- foot utility easements, between the above stated lots, is hereby approved. Ordinance O-2026-23 is recommended to the Kane County Commissioners for approval.

For reference, Kane County Land Use Ordinances are available at:

 <https://codelibrary.amlegal.com/codes/kanecountyut/latest/overview>

Shannon McBride

Administrative Land Use Authority

Date: _____

Kane County Land Use Department

Land Use Authority

76 North Main Street

Kanab, Utah 84741

 (435) 644-4966

 smcbride@kane.utah.gov

ITEM # 3

Discuss/Vote on Kane County Ordinance O 2026-24 An Ordinance Amending and Vacating, Amended Lot 6-220 in the Vermillion Cliff Estates Subdivision, Vacating Two 30 Foot Portions out of Lot 6-220 and Placing Them into Parcels 3-5-32-1 and 3-5-32-3

KANE COUNTY COMMISSION AGENDA REQUEST

Date of Commission Meeting Requested: 9-15-

2026

Dept. /Business Name: Land Use

Topic/Re: Ordinance 2026-24: VAC Easement in Vermillion Cliff Estates

Public Hearing: YES

Description: Partial Lot & Easement Vacation / Christopher & Andrea Jasper / to allow permanent easements into adjacent parcels

Lot: 6-220

Zoned: R-1

Parcels: 3-5-32-1, 3-5-32-3

Zoned: AG

Ordinance: O-2026-24

Attachments: Ordinance 2026-24, Staff Report, Plat

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:

KANE COUNTY ORDINANCE NO. O- 2026-24

**AN ORDINANCE AMENDING AND VACATING, AMENDED LOT 6-220 IN THE
VERMILLION CLIFF ESTATES SUBDIVISION, VACATING TWO 30 FOOT
PORTIONS OUT OF LOT 6-220 AND PLACING THEM INTO PARCELS 3-5-32-1 AND
3-5-32-3**

WHEREAS, the Kane County Administrative Land Use Authority has found good cause to vacate, amend and extend lot 6-220 in the Vermillion Cliff Estates Subdivision plat and the associated easements; and

WHEREAS, after duly noticed public hearing, the Kane County Administrative Land Use Authority recommended approval of the proposed amendment to extend, amend and vacate; and

WHEREAS, the Kane County Board of Commissioners finds it in the public interest to implement the proposed amendment and vacate the relevant portions of the platted easements;

NOW THEREFORE, the County Legislative Body of Kane County, State of Utah, hereby ordains as follows:

Section 1. *Vacation and Amendment of Plat.*

Vacate two 30 ft. access easements out of lot 6-220 and extend them into parcels 3-5-32-1 and 3-5-32-3, are hereby vacated and removed from the subdivision and incorporated into Parcels 3-5-32-1 and 3-5-32-3.

Section 2. *Vacation two 30 ft. Access Easements.*

The two 30 -foot access easements located at the east and west are hereby vacated.

Section 3. *Legal Description.*

Record Descriptions:

Parcel 6-220:

All of Lot 220 of Vermillion Cliff Estates, as recorded on Plat 6 in the Office of the Kane County Recorder, Utah.

Parcel 3-5-32-1:

The E1/2 E1/2 SE1/4 NE1/4 of Section 32, Township 43 South, Range 5 West, Salt Lake Base and Meridian. Containing 10.0 acres (more or less).

TOGETHER WITH a right-of-way easement for ingress, egress and utilities over, under and across the following described property:

The East 20.0 feet of Lot 220 Vermilion Cliff Estates and the West 10.0 feet of the East 30.0 feet of the South 30.0 feet of Lot 220 of Vermilion Cliff Estates.

Parcel 3-5-32-3:

The W1/2 E1/2 SE1/4 NE1/4 of Section 32, Township 43 South, Range 5 West, Salt Lake Base and Meridian. Containing 10.0 acres (more or less).

Portion to be Vacated:

The East 30.00 feet and the West 30.00 feet of Lot 220 of Vermillion Cliff Estates, as recorded on Plat 6 in the Office of the Kane County Recorder, Utah.

Resulting Descriptions:

Parcel 6-220:

All of Lot 220 of Vermillion Cliff Estates, as recorded on Plat 6 in the Office of the Kane County Recorder, Utah, LESS the East 30.00 feet and the West 30.00 feet of said lot, more particularly described as follows:

Commencing at the Southeast Corner of said Lot; thence, along the South Line of said lot, North 89° 10' 23" West 30.00 feet, to the POINT OF BEGINNING, and running; thence, continuing along said line, North 89° 10' 23" West 377.03 feet, to a point 30.00 feet from the Southwest Corner of said lot; thence, parallel to and 30.00 feet easterly of the West Line of said lot, North 01° 20' 17" East 436.74 feet, to the Northerly Line of said lot and 30.00 feet from the Northwest Corner of said lot; thence, along the Northerly Line of said lot, South 89° 37' 27" East 371.10 feet, to a point 30.00 feet westerly of the Northeast Corner of said lot; thence, parallel to and 30.00 feet westerly of the East Line of said lot, South 00° 33' 38" West 439.65 feet, to the POINT OF BEGINNING; containing 3.76 acres (more or less).

Parcel 3-5-32-1:

BEGINNING at the East ¼ Corner of Section 32, Township 43 South, Range 5 West, Salt Lake Base and Meridian, also being the Northeast Corner of Lot 220 of Vermillion Cliff Estates, as recorded on Plat 6 in the Office of the Kane County Recorder, Utah, and running; thence, along the East Lot Line, South 00° 33' 38" West 439.89 feet, to the Southeast Lot Corner; thence, along the South Lot Line, North 89° 10' 23" West 30.00 feet; thence, parallel to and 30.00 feet westerly of the East Lot Line, North 00° 33' 38" East 439.65 feet, to the North Lot Line, also being the East-West 1/4 Line; thence, along said line, North 89° 37' 27" West 296.83 feet, to the Center-East-East-East 1/256 Corner of said section; thence, along the East-East-East 1/256 Line, North 00° 46' 03" East 1322.47 feet, to the Center-East-East-Northeast 1/256 Corner; thence, along the North 1/16 Line, South 89° 15' 20" East 326.82 feet, to the North 1/16 Corner along the East Section Line; thence, along the East Section Line, South 00° 46' 04" West 1320.36 feet, to the POINT OF BEGINNING; containing 10.22 acres (more or less).

Parcel 3-5-32-3:

BEGINNING at the Center-East-East-East 1/256 Corner of Section 32, Township 43 South, Range 5 West, Salt Lake Base and Meridian, also being on the North Lot Line of Lot 220 of Vermillion Cliff Estates, as recorded on Plat 6 in the Office of the Kane County Recorder, Utah, and running; thence, along said lot line, North 89° 37' 27" West 74.28 feet, to a point 30.00 feet easterly of the Northwest Lot Corner; thence parallel to and 30.00 feet easterly of the West Lot Line, South 01° 20' 17" West 436.74 feet, to the South Lot Line and 30.00 feet Easterly of the Southwest Lot Corner; thence, along said line, North 89° 10' 23" West 30.00 feet, to the Southwest Lot Corner; thence, along the West Lot Line, North 01° 20' 17" East 436.51 feet, to

the Northwest Lot Corner and the East-West 1/4 Line; thence, along said line, North 89° 37' 27" West 222.54 feet, to the Center-East-East 1/64 Corner; thence, along the East-East 1/64 Line, North 00° 44' 46" East 662.58 feet, to the Southeast-Northeast 1/64 Corner; thence, continuing along said line, North 00° 46' 16" East 662.29 feet, to the Center-East-Northeast 1/64 Corner; thence, along the North 1/16 Line, South 89° 12' 13" East 327.02 feet, to the Center-East-East-Northeast 1/256 Corner; thence, along the East-East-East 1/256 Line, South 00° 46' 03" West 1322.47 feet, to the POINT OF BEGINNING; containing 10.22 acres (more or less).

Section 4. *Effective Date.*

This Ordinance shall be deposited in the Office of the Kane County Clerk and shall take effect fifteen (15) days after the date signed below.

Section 5. *Publication.*

The Kane County Clerk is hereby directed to publish a short summary of this Ordinance, including the names of the Commissioners voting for and against it, along with a statement that a complete copy is available for public inspection at the Office of the County Clerk. This publication shall appear at least once in a newspaper of general circulation within Kane County or as otherwise required by Utah law.

End of Ordinance

Ordinance 2026-24

ADOPTED this 15th day of September, 2026

Commissioner Brown voted: _____

Commissioner Meyeres voted: _____

Commissioner Kubeja voted: _____

COUNTY:

Kane County, a political subdivision of the State of Utah

By: _____

Gwen Brown

Chair, Kane County Commission

Corporate Acknowledgment

State of Utah

§

County of _____)

On this _____ day of _____, in the year 20____, personally appeared before me
Date Month Year

_____, whose identity is personally known to me (or proven on the basis
Name of document signer

of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the chair of the Kane County Commission and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and also acknowledged to me that said Corporation executed the same.

Witness my hand and official seal.

(Notary signature and seal)

Notary Printed Name _____ My Commission Expires _____

Residing in _____, County



**AMENDED LOT 220
VERMILION CLIFF ESTATES
LOCATED IN THE SE $\frac{1}{4}$, NE $\frac{1}{4}$ OF SECTION 32
TOWNSHIP 43 SOUTH, RANGE 5 WEST,
SALT LAKE BASE AND MERIDIAN**

SUBJECTS' CERTIFICATE

I, Thomas W. Mares, a Professional Land Surveyor, License No. 5565-917, hold this license in active status, Chapter 22, Professional Land Surveyors, Utah State Office of Professional and Technical Regulation, and have surveyed the Vermilion Cliff Estates in accordance with Section 17-21-2 and have verified the same and have placed monuments as appropriate on this plat. I certify that by authorizing of this survey and the plat thereon, all of those as shown on this plat and have the warranted portion of lot 220 are herein after known as:

AMENDED LOT 220 VERMILION CLIFF ESTATES.

[illegible]

DRAWN BY: C.M. SCALE: 1"=100' SHEET: 1 OF 1		INITIAL SUBMITTAL DATE: 06/22/2026 REV# Tst	DESCRIPTION: County Review	AMENDED LOT 220 VERMILION CLIFF ESTATES KANE COUNTY, UT	 <i>Building on Solid Foundations</i> 401 E. 300 SOUTH KANAB, UT 84741 435-644-0031 www.ironrock.com



STAFF REPORT

DATE: 8/24/26

PROJECT DESCRIPTION:

This application proposes to amend, extend, and vacate a portion of the Vermillion Cliffs Estates Subdivision lot 6-220. The proposal includes the following:

- Merging 2, 30 -foot access easements from lot 6-220 and extending them into parcels 3-5-32-1 and 3-5-32-3.
- Vacating two 30 -foot access easements out of lot 6-220 from the Vermillion Cliffs Estates Subdivision and incorporating them into parcels 3-5-32-1 and 3-5-32-3 in accordance with Ordinance 2026-24.

All changes occur within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 43 South, Range 5 West, Salt Lake Base and Meridian (SLB&M). This is an amended and vacating of two 30-foot access easement out of the Vermillion Cliff Estates Subdivision with no change to existing zoning, which remains Residential 1-acre (R-1) for lot 6-220 and AG for both parcels.

The application was submitted by Christopher Jasper, Plateau, LLC, a Utah Limited Liability Company, and Steve Selu, Civil Science approving the project.

PURPOSE:

The purpose of the subdivision amendment is to vacate two 30-foot access easements on the east and west lot lines and adding them into parcels 3-5-32-1 and 3-5-23-2.

FINDINGS:

- The amendment to vacate two 30-foot access easements out of the Vermillion Cliffs Estates subdivision is in compliance with Utah State Code §17-79-711 & 712 and §54-3-27.
- The vacation, complies with Kane County Land Use Ordinance 9-21E-9 (A–F) and Utah Code §17-79-201, 202, 207, 208.
- All application requirements have been met, including:
 - Posting of public notices in two public locations, as well as on county and state websites.
 - Mailing of notifications to all property owners within 300 feet of the project area.

STAFF DETERMINATIONS:

Kane County alternate surveyor Paul Wilson has reviewed and recommends approval of the

project. Administrative Land Use Authority Shannon McBride has reviewed the application and supporting materials and recommends approval. The project is compliant with all applicable county and state ordinances.

STAFF RECOMMENDATION:

I move to recommend **approval** to the Kane County Commission for the vacation of a two 30-foot access easements from lot 6-220 out of the Vermillion Cliff Estates Subdivision and into parcels 3-5-31-1 and 3-5-32-3 as outlined in Ordinance 2026-24, based on the findings presented in the staff report.

THANK YOU.

ITEM # 4

Discuss/Vote on Kane County Resolution No. R 2026-14 A Resolution Supporting Operation Green Light for Veterans

KANE COUNTY RESOLUTION NO. R-2026-14

A RESOLUTION SUPPORTING OPERATION GREEN LIGHT FOR VETERANS

WHEREAS the residents of Kane County have great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS the contributions and sacrifices of those who served in the Armed Forces have been vital in maintaining the freedom and way of life enjoyed by our citizens; and

WHEREAS Kane County seeks to honor individuals who have made countless sacrifices for freedom by placing themselves in harm's way for the good of all; and

WHEREAS veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veterans Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability, and compensation benefits each year; and

WHEREAS approximately 200,000 service members transition to civilian communities annually; and an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS the National Association of Counties encourages all counties, parishes, and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS Kane County appreciates the sacrifices of our United States military personnel and believes specific recognition should be granted.

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

1. With designation as a Green Light for Veterans County, Kane County hereby declares from November 4th - 11th 2026, as a time to salute and honor the service and sacrifices of those transitioning from active service; and
2. That in observance of Operation Green Light, Kane County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying green lights in a window of their place of business or residence from November 4th - 11th, 2026.

ADOPTED this 15th day of September 2026.

ATTEST:

CHAMEILL LAMB
Kane County Clerk

Gwen Brown, Chair
Board of Commissioners
Kane County

Commissioner Meyeres voted _____
Commissioner Kubeja voted _____
Commissioner Brown voted _____

ITEM # 5

Discuss/Vote on Kane County Resolution No. R 2026-15 A Resolution of the Kane County Commission
Calling for the Repeal of Utah's Preliminary
Municipality Law and Termination of the Preliminary
Municipality Pilot Program

RESOLUTION NO. R-2026-15**A RESOLUTION OF THE KANE COUNTY COMMISSION CALLING FOR THE REPEAL OF UTAH'S PRELIMINARY MUNICIPALITY LAW AND TERMINATION OF THE PRELIMINARY MUNICIPALITY PILOT PROGRAM**

WHEREAS, during the 2024 General Session, the Utah Legislature enacted Senate Bill 258, Municipal Incorporation Amendments, creating a pilot program for the incorporation of preliminary municipalities, now codified in Utah Code Title 10, Chapter 2a, Part 5; and

WHEREAS, under Utah Code Section 10-2a-502, the preliminary municipality provisions remain a pilot project scheduled to continue until January 1, 2031; and

WHEREAS, municipal incorporation is a consequential act of local government formation that affects land-use authority, infrastructure planning, public safety, taxation, service delivery, neighboring property owners, existing municipalities, special districts, and county residents; and

WHEREAS, counties and existing cities and towns are responsible for long-range planning, transportation networks, emergency response, public facilities, and the coordinated provision of services, and are best situated to evaluate local conditions and balance competing property rights and community interests; and

WHEREAS, the law allows a small number of landowners to initiate the creation of a new governmental entity primarily to facilitate future development, without requiring an existing population, a vote of affected county residents, the consent of the county legislative body, or a demonstrated community need for a new municipality; and

WHEREAS, upon incorporation, a preliminary municipality possesses substantially all municipal powers and duties and the same zoning and land-use authority as another municipality, even though its governing board has not been elected by residents; and

WHEREAS, even after the first residential certificate of occupancy is issued, the initial landowners, rather than resident voters, are required only to replace one board member with a resident, allowing unelected and potentially nonresident officials to continue exercising municipal land-use powers during substantial development activity; and

WHEREAS, the affected county has no meaningful approval or veto authority over the creation of the preliminary municipality, despite bearing immediate administrative responsibilities and facing lasting impacts to countywide planning, roads, law enforcement, emergency services, utility coordination, taxation, and neighboring property owners; and

WHEREAS, an existing city or town whose adopted annexation policy plan or future expansion area overlaps the proposed preliminary municipality is not assured participation equivalent to the affected county, even though the proposal may preclude orderly annexation and directly conflict with the municipality's adopted growth strategy; and

WHEREAS, the process gives insufficient weight to adopted county and municipal general plans and can substitute an applicant's proposed development program for the coordinated planning decisions already made through public processes; and

WHEREAS, the Lieutenant Governor's review of a petition is principally directed to whether submitted documents comply with statutory filing requirements and does not provide a clear discretionary mechanism to reject a proposal because it is contrary to local plans, creates unreasonable service burdens, lacks genuine public necessity, or produces other adverse local impacts; and

WHEREAS, the feasibility process does not adequately require objective, independently verified, area-specific data and may rely heavily on applicant-provided development schedules, taxable-value estimates, population projections, service assumptions, and financial pro formas; and

WHEREAS, the feasibility process does not adequately require binding commitments from anticipated providers of fire protection, law enforcement, water, wastewater, transportation, and other essential services, creating a risk that governmental formation will proceed on services that are unavailable, underfunded, or later shifted to existing taxpayers; and

WHEREAS, the law does not require a complete inventory of existing entitled residential lots, approved subdivisions, available infrastructure, building permits, certificates of occupancy, or historical absorption rates within the relevant housing market before determining that a new governmental entity is necessary to accommodate forecasted growth; and

WHEREAS, where existing subdivisions and entitled parcels already provide sufficient capacity to accommodate the Utah Population Committee's projected growth, formation of a preliminary municipality may be unnecessary and may fragment land-use, infrastructure, and service planning without addressing an unmet housing or municipal need; and

WHEREAS, although the law directs a preliminary municipality to maintain certain roadways, it does not provide adequate infrastructure-security requirements, enforcement remedies, or financial protections ensuring that roads and public improvements will be completed and maintained without future cost transfers to the county or other public entities; and

WHEREAS, the law excludes preliminary municipalities from ordinary municipal classification, boundary, consolidation, and dissolution provisions and does not establish an adequate process for dissolution, transfer of infrastructure, restoration of county jurisdiction, or protection of taxpayers if development stalls or the preliminary municipality never successfully transitions to an elected town; and

WHEREAS, the law does not provide the affected county and affected municipalities with sufficiently clear standing and remedies to compel compliance, challenge unsupported feasibility findings, address material changes to an approved development plan, or prevent the exercise of municipal authority beyond the assumptions on which incorporation was approved; and

WHEREAS, implementation of the pilot program has exposed inconsistent and insufficient standards for consultant review, verification of applicant information, evaluation of local evidence, service-provider coordination, and consideration of long-term public costs; and

WHEREAS, Kane County's experience with the proposed preliminary municipality known as Willow illustrates these broader statutory and implementation deficiencies, and Resolution No. R-2025-41 documents the County's concerns with unsupported assumptions and unreliable methodology in the Willow Preliminary Feasibility Study; and

WHEREAS, the Willow experience is evidence of a statewide structural problem rather than the sole basis for Kane County's position, because the same statutory deficiencies can affect any county in which a preliminary municipality is proposed; and

WHEREAS, these defects cannot be reliably cured through case-by-case objections after an application has entered the statutory process, particularly when local governments lack meaningful decision-making authority and clear remedies; and

WHEREAS, landowners retain established avenues to seek development approval, amend land-use entitlements, petition for annexation, or pursue incorporation under Utah's ordinary processes, all of which provide more appropriate public accountability and coordination with affected local governments; and

WHEREAS, the Kane County Commission supports responsible private-property development but finds that governmental boundaries and public powers should not be created through a process that bypasses meaningful local consent, objective feasibility review, and representative public participation; and

WHEREAS, repeal is necessary to restore public confidence, protect coordinated local planning, and prevent additional communities from being subjected to an experimental governmental-formation process before its deficiencies cause further harm.

NOW, THEREFORE, BE IT RESOLVED, that the Kane County Commission formally requests that the Utah Legislature immediately repeal the changes enacted by Senate Bill 258 (2024 General Session), repeal Utah Code Title 10, Chapter 2a, Part 5, and terminate the Preliminary Municipality Pilot Program.

BE IT FURTHER RESOLVED, that if the Legislature does not enact immediate repeal, Kane County requests, at a minimum, a moratorium on new and pending preliminary municipality proceedings until comprehensive statutory reforms are enacted requiring meaningful county and affected-municipality participation, independent and conservative feasibility review, verified service commitments, consideration of existing entitlements and annexation plans, genuine resident representation, and protection against shifting infrastructure or service costs to existing taxpayers.

BE IT FURTHER RESOLVED, that the Kane County Commission reaffirms Resolution No. R-2025-41 and incorporates its findings concerning the Willow Preliminary Feasibility Study as additional support for this request.

ADOPTED AND APPROVED this 15th day of September, 2026.

KANE COUNTY COMMISSION:

ATTEST:

Chair

Kane County Clerk/Auditor

Commissioner

Commissioner

ITEM # 6

Review of Legislative Issues

ITEM # 7

Commissioner Report on Assignments