

MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS TOWN HALL MEETING
August 11, 2022
AT THE KANAB CENTER
20 N. 100 E., KANAB, UT

Present: Chairman Andy Gant, Commissioner Brent Chamberlain (Absent),
Commissioner Wade Heaton, Clerk/Auditor Karla Johnson and, Deputy Clerk/Auditor
Candice Brown, Taylor Glover, Camille Taylor, Rhonda Gant, Kresta Blomquist

CALL MEETING TO ORDER: Commissioner Gant

WELCOME: Commissioner Gant

Commissioner Gant started the town hall meeting off saying that the boundaries that were up on the screen were just potential boundaries. He said that they had a great meeting with all of the fire chiefs earlier that day. They talked about districts and fire coverage and what they can and can't do. Commissioner Gant stated that this isn't some boundary that they are pushing, nor are they trying to accomplish anything other than to give the people an opportunity to get fire coverage with the different municipalities or districts that currently provide it. He said that all the Counties involvement in the actual fire protection, outside wildland, which is a legislative responsibility is to provide a way for the people that live in each area to choose their own level of coverage, if they choose to have it and choose what they think is a reasonable fee. Legislatively the Counties responsibility in that would be to help set up these boundaries and get boards in place to start the process. They are not ending anything and they have made no decisions on how these services are provided. This is just boundaries so far. There are a couple that have done some preliminary work, that are in different stages. These are independent from what the Commission is doing. Commissioner Gant said that if we get these going the County has some state legislative responsibilities like audits, following open meetings act and getting the boards trained on specific state law but other than that once these are set up they won't be county operations.

Commissioner Heaton said that the intent with this meeting is simply to get input from the public. He said that the Commission is going to start having these monthly. The topics may vary but they want to start having them every third Tuesday of each month. They will be in various parts of the County. Commissioner Heaton said that the focus tonight was east of town and out to Big Water. He stated that he is a big fan of special service districts. He believes in local control, the government closest to the people is the best government and that is the concept that makes these special service districts work. Commissioner Heaton thinks that rural county government has a very specific role, and it is not to provide municipal type services. He doesn't believe that we should be asking our county government to take the place of a municipality. That is where these special districts come in. they are special service districts that are designed to provide services to those of us in the unincorporated parts of the county. They can have a variety of geographical boundaries and they can have a variety of services. Each SSD can provide up to four services, completely independent from one another. Counties create these and then through the Lieutenant Governor's Office they become public entities and then they control themselves. The county can help establish the boundaries, the service and then they delegate the authority. Then the board that is made up of people that live within that geographic boundary, they can either be appointed by the county commission or they can be elected by the people that live in that geographic boundary.

Janette Nielsen asked about the boundaries with the Church Wells SSD, if they were going to be in control of their water.

Commissioner Heaton said that each SSD can have up to four services and they choose what services they want to provide.

Kevin Barnes stated that Western Kane County Special Service District is a service district that provides trash service to other service district in Kane County.

Commissioner Heaton said that is a SSD that is nearly countywide. They provide trash removal service for most of the County. He said the reason why is because there are some economies of scale that come into play. Each municipality doesn't want to have their own landfill because they are extremely expensive. So if one SSD can administer one or two landfills and we all get our trash taken to those, it is an example of a countywide district, which makes sense. A lot of these other services don't make sense at a countywide level.

Kevin Barnes wanted to clarify that if you are using the service district to provide a service, then they could charge a fee.

Commissioner Heaton said that a lot of people get the misconception that it is the county charging this money and the county providing these services because the county is doing some of the collection for the districts as a favor.

Commissioner Gant mentioned that they got some great questions submitted via email and that Attorney Van Dyke had gone over them and provided some great answers in more detail that they will make available to everybody. On one of the questions he got into some detail on the fee structure and scenario. Commissioner Gant said that the board can do almost anything. They have the power if they can get the vote to pass it. They can do all sorts of taxes and fees.

Unidentified person wanted to reiterate that they could establish a value based tax.

Commissioner Gant said that they could.

Janette stated that the boundaries included a lot more than just their community. She said that they just had a public meeting but they didn't include the rest of those communities. They haven't approved any of the board meeting, but does that mean that they can't because the boundaries are going to be different?

Commissioner Heaton said that they drew some lines on a map that made a little bit of sense and then called the town hall meeting. These boundaries are not final. They came to this meeting get input from the people on what they want.

Carl Taylor asked if they would show them what the boundaries looked like.

Commissioner Heaton showed on the map what they were thinking. He said that their goal was to get the vast majority of the populated areas, private property into a district.

James Bermant asked how you get to the point of saying you have enough property owners to say that they want a service/don't want a service.

Commissioner Heaton and Commissioner Gant said that they were open to suggestions on that. There is not a legal scenario.

Unidentified person asked if these SSD's were going to have their own fire station/EMT station combined.

Commissioner Heaton said that it will be up to the board.

Unidentified person stated that when you are up in Johnson Canyon and have a heart event. How long is it going to take Kanab City to get out there? She said they need something further out that way.

Commissioner Gant said that was a great point and that response time are important.

Dave asked if they were to do a petition of the majority of residents, would that give you a good sense of the importance?

Commissioner Heaton said that they would like that.

Dave stated that with CIB grants they are generally the hierarchy that moves through the county, does it not?

Commissioner Heaton said not necessarily, it is the importance of the project. A SSD has the ability to go to CIB and get the exact same funding that the county could.

Dave asked if it requires the county to indorse it.

Commissioner Gant said no, not necessarily. It comes through us, goes through the Association of Governments for an approval but ultimately CIB can choose either way.

Dave asked if it has to be registered voters or if it could just be residents.

Karla stated that the last thing she has information on, is that you need 85% of the property owners. If you choose to go an election route, then it is the registered voters.

Unidentified person asked if the state would provide any help/funding to build a station and outfit it.

Commissioner Heaton stated that there are a lot of options but it would be up to the discretion of the SSD. The board could go out and find funding.

Unidentified person asked if the fire station would be volunteers or if they would be paid.

Commissioner Gant said that more than likely in the rural parts of the county, you are not going to be able to afford a staffed fire house. It would be up to the board.

Unidentified person that lives in the Vermillion Cliffs development, stated that between fire services, road issues and flood issues that these have been the three topics of conversation for the last three years. The concerns she has with looking at the map, is if they have a fire station out east, how it is going to help the people on the other side of Kanab City that are included in the district all the way out to Best Friends.

Commissioner Heaton said the concept of this is the equity that everyone pays into the service. Those folks already live within five miles of a fire station. Is this going to benefit them as much as it benefits the people in Vermillion? Probably not. If we can put this together the way they have described it, generally everyone is going to be within five miles of a station and will be paying in for this service in one way or the other.

Commissioner Gant said that these districts are a lot of work to manage them so they don't want to have "20" houses in one if they can help it. Also if you don't have enough people in the district to help spread the fee then it doesn't make sense.

Unidentified person asked what type of timeframe they are discussing.

Commissioner Heaton said that the Commission has basically worked through all the pieces that they need to so from this point on they are in hurry mode. There is a need, and there is no need to drag our feet. He said that we are to the point that there needs to be a petition or election depending on the route they go. They will take a bit of time but he hopes to have it done by the end of the year.

Commissioner Gant clarified that they would at least like to have the boundaries done by the end of the year. All we are talking about right now are potential lines on a map.

Commissioner Heaton said that by the end of the year he would want to believe the district would be created, registered with the state, and have a board appointed.

Unidentified person wanted clarification on if EMS was provided by Kane County and if fire protection was by Kanab City.

Commissioner Heaton said that EMS is through Kane County Hospital and that they are a SSD. This is completely independent from Kane County. Also the area around Kanab is currently being provided fire protection by Kanab City.

Unidentified person wanted to know why we are not charging developers impact fees?

Commissioner Heaton said that he views impact fees as a great tool to provide revenue in a municipality, in areas we are trying to generate some money to give services or bring an order back to the overall city. He said that personally he struggles with it at the county level, he sees the need and understands where she is coming from and he could be swayed but currently he isn't sure they are to the level at Kane County level to that makes sense for us to impose an impact fee.

Commissioner Gant said that he thinks impact fees are applicable to be charged by the districts, they can charge a commercial fee, they can do a domestic impact fee, they can charge a fee for anything they want. Countywide we are not going to get in the impact fee business but the districts can absolutely do that.

Janette stated that they had a public meeting and decided to increase facility fees and engaged in an attorney. You're telling me that we have to wait until the boundaries are finished because we can't use our attorney to make a contract with Big Water because more area is included.

Commissioner Gant stated that they are not telling them they can't do anything, that is up to the board. We are telling you those boundaries might expand.

John Swindeman stated that you are asking us to increase our territory from Church Wells SSD boundaries and include other areas. This will be costly to send fire out from Big Water, and use a facility fee to do this. He said that this is going to raise his taxes and that is not fair.

Commissioner Gant said that is up to the board.

James Bermant asked if a SSD could split fees.

Commissioner Gant said that he believes that you can have one board and manage your district somewhat independently.

Matt Fisher asked why the county doesn't feel like this important lifesaving feature of fire protection doesn't get on par with law enforcement and other services that are critical to live in.

Commissioner Heaton says that it comes down to the basic definition of municipal services. It is not that the county thinks they are not important but it isn't the role of county government.

Matt Fisher asked who is going to determine what adequate fire protection is. He also asked how a citizen's board is going to put this all together.

Commissioner Heaton said those decisions would be made by the board.

Commissioner Gant said that state law guides almost every detail on a county. There are very few things that we choose to provide services or are able to tax or raise revenue for, that are not spelled out by the state.

Dave stated that he understands trying to cover as much of the unincorporated county area as possible but when he looks at the proposed map, putting Best Friends in there is not in the service area. To him it doesn't make a lot of sense.

Commissioner Gant said that currently Kanab doesn't have an interest in extending those boundaries and that the County hopes to help the people get some services.

Unidentified person asked why don't the people in the County pay the fire district fee every year.

Commissioner Gant stated that is what this would do. Once you get the fee collected then you could work with whoever is providing the service and they would give you a guaranteed level of service for a fee.

Unidentified person said that she is not talking about a board. She doesn't think that there is enough qualified people that would be able to run a board.

Commissioner Heaton stated that what she was talking about would be a countywide fire. He feels like as to the qualified people, he just called four great people that he knew and asked them if they would be willing to serve in their community. They knew nothing but they were willing to learn. Commissioner Heaton said that he does think that the advantages of a SSD compared to countywide fire really do outweigh the disadvantages.

Unidentified person stated that with all of the development going up. She asked why is it in approving those projects, knowing that this would lead to a greater need for services, you do not include as a part of the development approval a requirement that the developer contribute to some kind of public infrastructure to provide those services.

Commissioner Gant stated that we do. As developers build out the infrastructure associated with those projects, depending on timeframe. New requirement for water, power, potentially fire (if they are big enough) is all covered by the developer.

Commissioner Heaton said that it comes down to proportion. They can't have one of the new subdivisions that has 30 lots build a fire station. Proportionately it is not fair. There hasn't been that one big development where they are going to make them do that.

Camille asked if they could combine the hospital EMS service and fire. They could then use TRT funds. You can't use TRT for fire right now but if they combined it with EMS then they could use some of that TRT.

Commissioner Gant stated that they are not saying a SSD is the only way to do it. They could do countywide if that is what suits the people best.

Joe Decker said that everything is doable with a district and that it takes \$1.2-\$1.5 million a year to run a fire district that has two full time employees per shift.

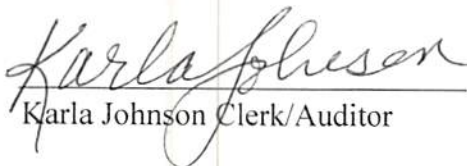
Commissioner Heaton ended the meeting by telling the people to talk to their neighbors about what they want to do.

Motion to adjourn made by Commissioner Heaton and motion carried with all Commissioners present voting in favor.

WHERE UPON MEETING WAS ADJOURNED



Andy Gant Chairman



Karla Johnson Clerk/Auditor