

MINUTES  
OF THE KANE COUNTY  
BOARD OF COMMISSIONERS' TOWN HALL MEETING  
June 6, 2023  
IN THE PONDEROSA ROOM AT THE KANAB CENTER,  
20 NORTH 100 EAST, KANAB, UTAH

Present: Chairman Wade Heaton, Commissioner Celeste Meyeres, Commissioner Patty Kubeja, Sheriff Tracy Glover, Taylor Glover

**CALL MEETING TO ORDER:** Commissioner Heaton

**WELCOME:** Commissioner Heaton

**INVOCATION:** Commissioner Heaton

**PLEDGE OF ALLEGIANCE:** Taylor Glover

**SPECIAL SESSION:**

- **Discussion/Possible Action: SB175, the Utah Rural Transportation Infrastructure Fund Bill and the increase in sales tax associated with it.**

Commissioner Heaton gave an overview on SB175 and how it could potentially impact Kane County and its citizens. He said this bill applies for Kane County roads and all municipal roads. They are all funded by B&C road tax, a portion of that goes to the state and then gets dispersed back to the counties, and then once within the counties it gets dispersed back within the municipalities and the county keeps a portion. Currently, in Kane County our entire road budget is funded 100% by this B&C road fund that is given back to us. It is a little over a million dollars, and is one of our most underfunded departments, which has been a constant struggle. We have not wanted to raise taxes but the only way to fund that was this B&C road money. To maintain 700 miles of road is a serious process for our County Road Department and is a challenge. Our current goal is to simply keep our roads passable, and that is about all we can do

with the current funding we have. We have pushed and pushed and started to catch some traction on making these rural counties whole and fix this problem. Some of our lobbyists at the state started moving this forward and at the end of last year, things looked really good. Our senator ran the bill and at the end of it 3<sup>rd</sup> and 4<sup>th</sup> class counties got added in and the pot of money that was going to make our small counties whole started getting divided. To be eligible for these funds counties must have one of the .25% (gas) taxes implemented. This is a sales tax on all goods and services sold in the county.

Unidentified person: Does the county get any money back from all the funds generated by recreation.gov? No

Unidentified person: Does the \$1.2M that comes in 2024 have a timeline for when it has to be spent on roads? It would sit in the County Road Department fund until they know where it will be spent.

Matt Fisher: What is the alternative, just have our road budget underfunded forever? Yes

Commissioner Heaton mentioned that if we do this, he would be in favor of figuring out a way to reduce taxes in another way.

Matt Fisher: You said that roads have been underfunded for years and that needs to be addressed.

Unidentified person: What is the state's motivation in doing it this way versus another way?  
Commissioner Heaton asked the same question and their point was "how can you come to us and ask for money when you haven't already done all you could at home".

Rhonda Gant said she doesn't see us as having much more of a choice on implementing this because the expense of the road department and the roads keep going up. You have to subsidize it from somewhere.

Unidentified person: Will some of the TRT funds still be used for roads after this? Yes, most likely they will still use TRT funds.

Unidentified person: What is the priority with this money and when will my road be fixed?  
Commissioner Kubeja said she feels that as a Commission we do need a plan for the roads. It needs to be realistic but we do need a plan.

**• Discussion/Possible Action: Input on potential restructuring and renaming of land use zones within the county.**

Commissioner Heaton shared some of his thoughts that he has on uses and the history of the AG zone. He served on the county Planning & Zoning for around 10 years and was a part of some of the changes. When he first got on, they felt like our current zoning was a little discombobulated and they wanted to simplify and fix some things. There were about 10 zones that had been mixed and matched from different areas and every time they had a new need, they made a new zone. They ended up consolidating everything into four zones and had a tiered approach. The AG zone was our default zone, which worked for a while. A few years ago, they pulled some uses back out of the AG zone. What has happened over the last 10-12 years is the simple name has created this misconception among the public on the purpose of this zone. There is a lot of uses in the AG zone that don't have anything to do with AG. There has been discussion on maybe going in and tweaking some of the uses within the AG zone, maybe limit some, scale some back, and maybe add a few back in that got taken out. That is what got us to where we are now. Kane County has changed a lot in the last 2-4 years. Are we in a place where we want to come back and add a few additional zones? Do we want to restrict further or put some sidebars on some current uses?

Matt Fisher: AG zones are 10-acre minimums. Yes they are.

Unidentified person: What is the AG-FAA? AG-FAA is zoned for the Rural Unimproved Subdivision. It can be used as a tax status.

Commissioner Meyeres explained what conditional use means.

Commissioner Heaton believes very strongly that what a neighbor does on their property can't have an unreasonable impact on their neighbors. There has got to be mitigating factors on a lot of this. He also thinks people ought to be able to use their property.

Commissioner Kubeja said this discussion is happening because of the request in Johnson Canyon for a commercial zone change. The project meets all the other requirements for AG except they want to have airstreams. She is not comfortable changing a zone just for this one situation. This made them think that maybe they should go back on some of the things that used to be allowed, that gives property owners a little more leeway to do some of these things that will provide income that they want.

Commissioner Meyeres mentioned that the property in Johnson Canyon was bought about 20 years ago, at that time an RV park was a conditional use and now it is not allowed. She would like to see some of the historical uses returned.

Matt Fisher said he hasn't formed any opinions on this, but really thinks it needs to be a very well thought out discussion.

Unidentified person said it sounds to them that this is going to be a much bigger project than just redoing the AG zone.

Gwen Brown agrees with the above comment. This is not just about airstream trailers. He wants it commercial because it is going to grow into a true commercial zone. If that happens everyone else is going to want to do that.

Unidentified person said we are having a huge discussion about zoning but not addressing what most of the people here want to see. He doesn't think the residents of Johnson Canyon want a zone change to commercial.

Matt Fisher thinks there is validity to having well thought-out set zoning. Just leave them and let people work within them.

Commissioner Heaton said he agrees with Matt when you are dealing with a very mature zoning map. When you are dealing with a somewhat immature zoning map, he doesn't know if they can make that same argument and when you look at the Kane County zoning map we are still pretty immature.

Gwen Brown said there is the issue of spot zoning, we need to keep it somewhat uniformed. Commercial in Johnson Canyon doesn't fit the county plan at all.

Unidentified person: Johnson Canyon is not thoroughly paved so why would you put commercial zoning out there.

Unidentified person: If you allow commercial by changing the zoning, it is not just going to be one trailer park.

Sue Johnson: If you change the AG zone, is there any thoughts on how you are going to do that?

Commissioner Meyeres said she would like to restore some of the historic uses that would be beneficial and she would like those to be conditional rather than permitted.

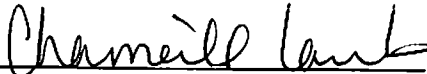
John doesn't care if they rebuild the movie set and doesn't care if they do cabin there, but he doesn't want a trailer park out there.

There was some further talk on this from the public and Commissioners. Commissioner Heaton mentioned that if this does go anywhere it is going to be a process.

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

**WHERE UPON MEETING WAS ADJOURNED**

  
\_\_\_\_\_  
Wade Heaton Chairman

  
\_\_\_\_\_  
Chameill Lamb Clerk/Auditor