

**AGENDA SUMMARY**  
**GRAND COUNTY COMMISSION MEETING**  
**SEPTEMBER 6, 2022**

Agenda Item:

<b>TITLE:</b>	Approving a Resolution Appointing the Initial Board of Directors of the Kane Springs Improvement District
<b>FISCAL IMPACT:</b>	Under law, the District is a distinct entity for which the County has no financial liability; however, Districts serving particular developments have a history in SE Utah of mismanagement by developer agents requiring County intervention and expertise. Thus, there may be an unknown fiscal impact.
<b>PRESENTER(S):</b>	Christina Sloan, Grand County Attorney

**Prepared By:**

Christina Sloan,  
Grand County Attorney

**FOR OFFICE USE ONLY:**

**Attorney Review:**

Complete  
August 30, 2022

**RECOMMENDATION:**

I move to approve the Resolution appointing the initial Board of Trustees for the Kane Springs Improvement District and authorize the Clerk to insert the title of the Resolution forming the new District once numbered.

**BACKGROUND:**

Kane Creek Preservation and Development, LLC and Kane Springs, LLC, the owners of 100% of the land within the proposed service area, petitioned the County to create a new local improvement district, the Kane Springs Improvement District. In compliance with local and state law, the purpose of the Kane Springs Improvement District is to provide sanitary sewer collection and treatment service to the land within its District. It may provide culinary water service and construction and maintenance of rights of way within its service area as well.

A local improvement district provides a mechanism to the owners of property within the service area (as shown on Exhibit A to the Resolution) to finance improvements required to develop the property via taxes and assessments to lands within the service area. The district is a separate legal entity from the County, and the County has no financial liability for the district.

The owners have followed the procedure and requirements of Title 17B, Chapter 1 (All Local Districts) and Chapter 2a, Part 4 (Local Improvement Districts). Thus, the County had no legal authority to deny creation of the local district and did so on September 6, 2022 via separate Resolution.

The owners propose a three-member Board of Trustees comprised of owner agents. However, County policy is to appoint at least one commissioner to each local district board. And, because development-specific districts have a history of mismanagement in SE Utah, County leadership has discussed more active County management of all new districts.

For these reasons, the County Commission adopted a resolution forming the District and establishing a 5-member Board of Trustees composed of three local residents (or their owners/agents if a seasonally occupied development) and 2 commissioners.

Statute requires we appoint the Board by Resolution. The proposed Resolution sets forth the initial Board as follows:

- a. For an initial term of four years, Craig Weston, agent of property owner Kane Creek Preservation and Development, LLC;
- b. For an initial term of four years, Trent Arnold, agent of property owner Kane Creek Preservation and Development, LLC;
- c. For an initial term of two years, Tom Goittlieb, agent of property owner Kane Creek Preservation and Development, LLC;
- d. For an initial term of four years, Kevin Walker, Grand County Commissioner; and
- e. For an initial term of two years, Trish Hedin, Grand County Commissioner.

**ATTACHMENT(S):**

- Proposed Resolution Appointing BOD

1