



**GRAND COUNTY COMMISSION  
WORKSHOP AND REGULAR MEETING**

**Grand County Commission Chambers  
Hybrid virtual participation on Zoom  
Moab, Utah**

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**MINUTES  
17 May 2022**

The Grand County Commission met in a regular meeting on May 17th, 2022. The meeting was held in-person in the Grand County Commission Chambers, with hybrid virtual participation also available via Zoom. It was also broadcast and saved on YouTube. Attending the meeting in-person was Commission Vice-Chair Mary McGann, Evan Clapper, Trisha Hedin, Kevin Walker. Also attending in-person were Commission Administrator Mallory Nassau, Associate Commission Administrator Quinn Hall and Clerk/Auditor Gabriel Woytek. County Commission Chair Jacques Hadler, Commissioner Sarah Stock and Grand County Attorney Christina Sloan were in attendance virtually. Josie Kovash entered the meeting at 3:23 p.m. Vice-Chair McGann served as Chair for this meeting.

**3:13 p.m. Grand County Water Community Information Session**

**Motion by** Commissioner Clapper to postpone Water Community Information Session to a later date.

**Motion seconded by** Commissioner Hedin

**Motion passes 7-0**

**4:02 p.m. Grand County Municipal Building Authority Meeting (see separate agenda) (2:05)**

**4:15 p.m. Thompson Springs Special Service Fire District (see separate agenda) (12:40)**

**4:21 pm Call to Order (19:05)**

**Pledge of Allegiance**

**Citizens to Be Heard (20:00)**

Marc Horwitz discussed Jackson Street stormwater plan and expressed concern about HDHO developments in that area. Expressed opposition to the HDHO program in general.

**Presentations**

**1. 'Science of Sound' (Les Blomberg, Noise Pollution Clearinghouse) (26:00)**

Mr. Blomberg gave a presentation regarding the scientific aspects of noise and sound. Explained that logarithmic nature of decibel readings makes understanding those measurements difficult. Doubling the number of sources of the same decibel adds three decibels to any measurement. Sound generated in a

valley with hard surfaces has the effect of many reflected sources of sound. A 10 decibel increase represents a doubling of loudness. Moab's environment is characterized by low background noise which highlights artificial noise disruptions. Overview given of field testing results and putting 74db 50 foot drive-by reading into context. Discussion regarding complexities and challenges associated with stationary noise meters that have been introduced in other localities.

**2. Grand County Fiber High-Speed Internet Build (Jared Anderson, Chief Operating Officer, Emery Telcom) (59:55)**

Mr. Anderson offered update on Fiber project giving presentation as presented in packet. State Public Service Commission has certified Emery Telcom as a provider in Grand County, which enables the current efforts in Grand and San Juan counties. Overview of maps showing different phases through 2025-2027 for delivering Fiber service. Permitting and cashflow availability will dictate whether the plan will be subject to any acceleration. All areas and timeframes subject to change. Physical demonstration of materials associated with install.

**Vice Chair McGann moved 'Item C' forward in order to accompany presentation**

**C. Approving ordinance for granting E-Fiber, a franchise for communication systems (Associate Commission Administrator Quinn Hall) (1:18:00)**

**Presentation**

Reviewed and approved by Grand County Roads Supervisor. Not reviewed by County Attorney Sloan.

**Motion by** Commissioner Clapper to approve, pending County Attorney approval.

**Motion fails due to lack of a second**

**Motion by** Commissioner Walker to postpone item until County Attorney review

**Seconded by** Commissioner Clapper

**Discussion**

Commissioner Stock sought clarification that burying fiber lines will only be used in the absence of existing aerial infrastructure. Commissioner Walker sought clarification that currently proposed franchise agreement is for the purpose of operating in County rights of way as a communications provider. Mr. Anderson explained that a postponement of this item should not have any adverse effects on the project timeline.

**Motion passes 7-0**

**Department Reports** (none scheduled)

**Approval of Minutes (Gabriel Woytek, Clerk/Auditor)**

May 2<sup>nd</sup>, 2022 (Special Meeting – Noise Workshop)

May 3<sup>rd</sup>, 2022 (Regular County Commission Meeting)

**Motion by** Commissioner Hedin to approve the minutes from May 2<sup>nd</sup>, 2022 and May 3<sup>rd</sup>, 2022.

**Motion Seconded by** Commissioner Walker

**Discussion** (none at this time)

**Motion Passes 7-0**

### **Ratification of Payment of Bills**

**Motion by** Commissioner Walker to approve and ratify payment of bills in the amount of \$765,014.05 and payroll in the amount of \$327,514.92 for a combined total of \$1,092,528.97.

**Motion Seconded by** Commissioner Clapper

**Discussion** (none at this time)

**Motion passes 7-0**

**Commission Member Disclosures** (none at this time)

### **General Commission Reports and Future Considerations (1:27:00)**

Jacques Hadler

- Responsible Recreation meeting, current efforts to include responsible recreation messaging in trail apps
- Trail Mix meeting
- Drive-by noise testing with GCSO at Kane Creek and Cemetery locations
- Motorized Trail Committee meeting
- Meeting between Chamber of Commerce representatives and County representatives to increase understanding regarding Transient Room Tax

Trisha Hedin

- Planning Commission, workforce housing
- Conservation District, \$2,000 in funding available
- OSTA advisory committee
- Homeless Council, 166 receiving services
- Future consideration: Discussion about Fentanyl in the community and being a state leader in combating it

Sarah Stock

- Meeting regarding State Catastrophic Fire Program with Jason Johnson of FFSL and Fire Warden Bruce Jenkins

Kevin Walker

- Future consideration: reports from different County departments during presentation time to increase transparency of county operations.

Evan Clapper

- Cemetery District Board, new shelter and gathering place being discussed and explored for celebrations of life/funerals

- Canyonlands Health Care Special Service District
- EMS Special Service District, Incident Command Service provides training to electeds and appointeds for communications in response to emergency incidents

Mary McGann

- Travel Council, presentation re: timed entry, average hotel occupancy down, Jeep Safari attendance down, increased visitation to the Moab Information Center
- Housing Authority of Southeastern Utah
- Solid Waste Authority Executive Director Search
- Tour of UMTRA project with Congressman Curtis

Josie Kovash

- John Curtis town hall and accompanying dinner with Congressman Curtis and Phil Lyman

### **Elected Official Reports**

Grand County Clerk/Auditor Gabriel Woytek

- Auditors came May 9-12
- Sample Ballots posted
- Public Logic & Accuracy Test Friday, May 27<sup>th</sup> at 9am

Grand County Attorney Christina Sloan

- Noise testing event with Sheriff's Office, addressed hurdles associated with issuing citations, discussion of speed enforcement as a tool for addressing noise issues, general receptiveness from Sheriff's Office. Drive-by enforcement requires two individuals, only one of which needs to be a Law Enforcement Officer.

### **Commission Administrator Report**

Associate Commission Administrator Quinn Hall

- New agenda submission system

### **General Business - Action Items, Discussion and Consideration of:**

#### **A. Approving Memorandum of Understanding with the Utah Division of Water Rights (DWR) for the Pack Creek Stream Gauge (Commissioner Stock and Marc Stilson, DWR Regional Engineer) (1:55:50)**

#### **Presentation**

Commissioner Stock presented the MOU which outlines Grand County's ongoing responsibility in maintaining this gauge which is critical for developing future water budget models and flood warnings. Nature Conservancy, GWSSA, Moab City also partnering in the effort.

**Motion by** Commissioner Walker to approve the Memorandum of Understanding with the Utah Division of Water Rights (DWR) for a stream gauge on Pack Creek.

**Motion Seconded by** Commissioner Hedin

#### **Discussion**

Commissioner Walker spoke in support of utilizing funds to better understand and protect our aquifer. Commissioner Hedin stressed that Pack Creek is a big missing piece in understanding the valley's groundwater, as present assumption is that Pack Creek is essential in replenishing the Valley Fill Aquifer.

**Motion passes 7-0**

**B. Approving Special Event Application for the 2022 Roughies on the Rocks (OSTA Director Angie Book) (2:00:05)**

**Presentation**

Staff presented details of miniature bull riding event, as presented in packet.

**Motion by** Commissioner Hedin to approve the special event permit for the 2022 Roughies on the Rocks under the currently approved special event ordinance.

**Motion Seconded by** Commissioner Clapper

**Discussion (none at this time)**

**Motion passes 7-0**

**6 p.m. Citizens to be heard (none at this time)**

**D. Approving Contract Award for Professional Fireworks Display on Independence Day (Associate Commission Administrator Quinn Hall) (2:03:05)**

**Presentation**

Staff presented contract. Only one bid received.

**Motion by** Commissioner Walker to approve the Independent Contractor Agreement with Vortex Fireworks Artists for the 2022 July 4th professional fireworks display.

**Motion Seconded by** Commissioner Clapper

**Discussion**

Commissioner Kovash noted one citizen comment received expressing inappropriate nature of fireworks display given fire risk.

**Motion passes 7-0**

**E. Approving the bid award to TSJ Construction for constructing the Airport snow removal equipment building, in the amount of \$890,001.29 (Tammy Howland, Interim Airport Director) (2:05:20)**

**Presentation**

Staff presented details of bid award. Part of annual entitlement project. Equipment was received in 2021, this project is for constructing a building to house that equipment already received. One bid came in higher than anticipated and was adjusted to where it is now. Commissioner Stock asked what the cost per square foot. Staff quoted approximately \$400/square foot, which is in line with what other airports are paying for similar structures.

**Motion by** Commissioner Walker to approve the bid award to TSJ Construction in the amount of \$890,001.29, for construction of a snow removal equipment building at the Airport, pending the FAA grant offer.

**Motion Seconded by** Commissioner Hedin

**Discussion (none at this time)**

**Motion passes 7-0**

**F. Approving Single Service Operator Agreement with Skydive Moab, LLC (Tammy Howland, Interim Airport Director, and County Attorney Sloan) (2:09:20)**

**Presentation**

Staff presented details and background regarding proposed agreement, as presented in packet. These agreements help create coordination for various uses at the airport. Skydive Moab in business for 15 years at the airport. Skydive operations are essentially uninsurable but are a protected aeronautical activity. Attorney Sloan described extensive effort involved in updating this agreement. Discussion regarding fee schedule for use of unimproved landing area and upcoming study for adjusting fees and its relation to this agreement.

**Motion by** Commissioner Walker to approve the Single Service Operator Agreement between Skydive Moab, LLC and Grand County, effective January 1, 2022.

**Motion Seconded by** Commissioner Hedin

**Discussion (none at this time)**

**Motion passes 7-0**

**G. Approving recruitment grade range and updated job description for Airport Director (Renee Baker, Personnel Services Director) (2:16:45)**

**Presentation**

Staff presented proposed changes as presented in packet. Changes better reflect recently completed salary survey and allow flexibility for competitive hiring strategies.

**Motion by** Commissioner Walker to approve the updated Airport Director job description and authorize recruitment posting at the range of Grade 18 - Grade 20 effective May 18th 2022.

**Seconded by** Commissioner Clapper

**Discussion (none at this time)**

**Motion passes 7-0**

**H. Approving Resolution Repealing and Replacing Resolution No. 2976 and Adopting the General Plan 2030 (John Guenther, Planning and Zoning Director) (2:18:45)**

**Presentation**

Staff discussed resolution which is culmination of a year-long process. Next step is to move into implementation phase with department heads. Commissioner Walker sought clarification on process: this is a 'meta' plan or 'roadmap' for the next implementation goals in the overall process. Implementation goals include Land Use Code update, Transportation Master Plan, Capital Improvement Plan, Economic Development Master Plan and Public Engagement Strategy, among others. Details currently presented in the General Plan serve as placeholders and will be revised.

**Motion by** Commissioner Hedin to approve the resolution repealing the General Plan 2012 and adopt the Grand County General Plan 2030.

**Motion seconded by** Commissioner Clapper

**Discussion**

Commissioner Walker clarified the use of 2030 in the title. Commissioner Kovash expressed appreciation for added language regarding, noise, seasonal housing and renewable energy goals.

**Motion passes 7-0**

- I. Adopting Resolution approving the Final Plat of Plateau Estates, Lot 7 Amended located at 1885 Plateau Circle, affecting Parcel No. 02-OSPE0007 (Associate Planner Elissa Martin) (2:25:20)

**Presentation**

Staff discussed application as presented in packet.

**Motion by** Commissioner Walker to approve the Findings of Fact set forth in the staff report dated March 28, 2022 and the proposed Resolution approving plat for Plateau Estates, Lot 7 Amended.

**Motion seconded by** Commissioner Clapper

**Discussion (none at this time)**

**Motion passes 7-0**

- J. Adopting Resolution approving the Final Plat of Arroyo Crossing, Phase 1, Tract I, Amended, affecting Parcel 02-OARR-0241 (Associate Planner Elissa Martin) (2:28:25)

**Presentation**

Staff discussed application as presented in packet. Commissioner Walker clarified with applicant that this subdivision was always planned for in the development Master Plan.

**Motion by** Commissioner Walker to approve the Findings of Fact set forth in the staff report dated April 18, 2022 and the proposed Resolution approving the Final Plat of Arroyo Crossing, Phase 1, Tracts I, Amended.

**Motion seconded by** Commissioner Hedin

**Discussion**

Commissioners Hedin and McGann expressed appreciation to the MACLT staff for their efforts.

**Motion passes 7-0**

- K.** Discussion and Consideration of Work Change Directive for Sand Flats Gravel Parking Lot Project (2:32:40) (Andrea Brand, Sand Flats Recreation Area Director)

**Presentation**

Staff described work change as presented in packet. Change creates a \$6,000 overall excess in original bid. Within SFRA budget.

**Commissioner Hedin assumed role of Chair for this item as the Vice Chair needed to excuse themself momentarily**

**Motion by** Commissioner Clapper to approve Work Change Directive for the Sand Flats Gravel Parking Lot and authorize the Chair to sign all associated documents.

**Motion seconded by** Commissioner McGann

**Discussion** (none at this time)

**Motion passes 7-0**

- L.** Amending Economic Development Special Event grant guidelines (Grand County Economic Development Director August Granath) (2:37:40)

**Presentation**

Staff discussed need for proposed amendments. Grant program originally designed to develop new special events. Will enable changes desired by Travel Council Advisory Board. More flexibility for targeted low points in non-winter times of year. Funding to be made available for operating expenses and not just marketing. Commissioner Walker sought clarification that grant dispersal ultimately approved by the County Commission. Commissioner Stock sought clarification as to whether guidelines might in the future contain elements supporting the inclusion of events promoting cultural and ethnic diversity, and staff agreed that this could be a real possibility and will be brought to the table when further revisions are revisited. Commissioner Kovash prompted staff to further clarify what 'quality visitation' might mean, and to gather more qualitative data in post-event surveys. Staff offered that current effort to create an Economic Development Master Plan will serve to clarify these issues.

**Motion by** Commissioner Stock to approve the revised event grant guidelines

**Motion seconded by** Commissioner Clapper

**Discussion**

Commissioner Walker pointed out minor edit needed in guideline document.

**Motion passes 7-0**

- M.** Approving Economic Development special event grant awards (Grand County Economic Development Director August Granath) (2:51:05)



**Presentation**

Staff discussed proposed awards as presented in packet.

**Motion by** Commissioner Clapper to approve the dispersal of funds to the Folk Festival and Free Concert Series as recommended by the Travel Council Advisory Board (TCAB).

**Motion seconded by** Commissioner Hedin

**Discussion**

Commissioner Clapper expressed appreciation for the fact that the proposed awarded events are free to the public and that such a quality might be considered in future guidelines. Commissioner Kovash pointed out the awarded events exemplify efforts for quality visitation and local-friendly qualities.

**Motion passes 7-0**

- N. Adopting Resolution to Repeal Resolution NO. 3260 and Amend the Grand County Economic Development Advisory Board (“EDAB”) Resolution NO. 3228 (August Granath, Grand County Economic Development) (2:55:20)

**Presentation**

Staff discussed proposed board consolidation and revisions to board member makeup as presented in the packet. Commissioner Walker sought clarification about most recent amendments to this proposed action, staff explained that two more private sector representatives were added in most recent amendment. Commissioner Clapper sought clarification regarding board member makeup as established by statute, brought up potential need for review by the County Attorney.

**Motion by** Commissioner Clapper to approve the Resolution, repealing Resolution No. 3260 and amending Resolution No. 3228 Economic Development Advisory Board (EDAB), and establish EDAB membership and positions as outlined in Exhibit B.

**Motion seconded by** Commissioner Walker

**Discussion** (none at this time)

**Motion passes 7-0**

**Commissioner Walker left the meeting at 7:05 p.m.**

**Consent Agenda – Action Items (3:04:15)**

- O. Ratifying Grant application for pickle ball courts at OSTA to the Utah Division of Recreation Land and Water Conservation Fund
- P. Ratifying the Chair’s signature on a letter to the School and Institutional Trust Lands Administration (SITLA)
- Q. Ratifying the Chair’s signature on a purchase order for two boat trailers for Grand County Search & Rescue
- R. Approving Specialized Services Agreement between Grand County, Utah State University and Utah Conservation Corps

- S. Approval of Independent Contractor Agreement for OSTA scoreboards (modified from April 19, 2022 approval)
- T. Approving letter to the Utah Division of Air Quality

**Motion by** Commissioner Clapper to adopt the Consent Agenda as listed by the Chair.

**Motion seconded by** Commissioner Hedin

**Discussion**

Commissioner Hedin discussed the appropriateness of the Commission's action on Item T. Suggested that it isn't appropriate or productive in developing relationships with nearby counties.

**Substitute motion by** Commissioner Hedin to pull Item T out of Consent Agenda

**Substitute motion seconded by** Clapper

**Substitute motion passes 6-0**

- T. Approving letter to the Utah Division of Air Quality (3:08:20)

**Discussion**

Commissioner Stock clarified that the letter is addressed to the Division of Air Quality, not to neighboring counties, and discussed that this is a response to an invitation to a public comment period and that our constituents are downwind from these coal power plants. Commissioner Hedin discussed the challenges that these former coal dominant counties face in transitioning away from coal, that Grand County acting unilaterally in speaking out can cause problems.

**Motion by** Commissioner Stock to approve letter to the Utah Division of Air Quality

**Motion seconded by** Commissioner Kovash

**Discussion**

Commissioner Clapper stated that he appreciates Commissioner Hedin's concerns but that it is appropriate for individual stakeholders to chime in during an open public comment period.

**Motion passes 5-1, Hedin opposed**

**Consent Agenda Approval (3:16:25)**

**Motion by** Commissioner Clapper to adopt the Consent Agenda as updated (without item T)

**Motion seconded by** Commissioner Hedin

**Discussion**

Clarification offered that the Utah state legislative committee has passed this land swap and that any further changes would have to happen at the Federal level.

**Motion passes 6-0**

**Discussion Items**

**U.** Calendar items and special events (Quinn Hall, Associate Commission Administrator)

**Vice Chair McGann adjourned the meeting at 7:22 p.m.**



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Jacques Hadler  
Chair, Grand County Commission



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Gabriel Woytek  
Grand County Clerk/Auditor