



**GRAND COUNTY
COMMISSION REGULAR MEETING**

**Grand County Commission Chambers
Held virtually on Zoom
Moab, Utah**

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**MINUTES
04 MAY, 2021**

The Grand County Commission met in a regular meeting on 4 May, 2021. The meeting was streamed/attended electronically. It was also broadcast and saved on YouTube. Commissioners in attendance were Jacques Hadler, Trish Hedin, Mary McGann, Sarah Stock, Kevin Walker, and Gabriel Woytek. Also present were County Commission Administrator Chris Baird, County Commission Associate Administrator Mallory Nassau, Treasurer Chris Kauffman, and Clerk/Auditor Quinn Hall. County Attorney Christina Sloan arrived at 4:11 pm. Commissioner Evan Clapper arrived at 4:14 pm.

Call to Order

Chair McGann called the meeting to order at 4:02 pm.

Citizens to Be Heard

Cliff Koontz commented against hiring the proposed noise specialist. Cliff suggested further addressing and/or modifying the previously passed ordinance. Cliff suggested there is likely more than one provider capable of offering the consulting service. Cliff suggested the Commission respond to Ride with Respect's letter from earlier.

Presentations

- A. Presentation on water rights and conditions in Grand County (Marc Stilson, Division of Water Rights Regional Engineer- Southeastern Region)

Marc Stilson discussed the water concerns of the valley. Marc discussed the United States Geological Survey (USGS) study results for water availability in the valley, noting they had discovered much less water than previously thought. Marc noted there is not much water left for future development in the valley. Marc suggested Grand County, San Juan County and Moab City look to alternatives for future use. Marc suggested looking to surface sources for future development.

Marc suggested it would cost ~\$6000.00 to install a flow gauge on Pack Creek.

Marc noted they're not sure how much water has been allocated because past allocations have been based on flow not volume. Marc and his team are working to assess current usage. Marc noted several water rights have been abandoned.

Kevin asked about surface water rights from Mill Creek, and Marc noted Mill Creek is fully allocated.

Gabriel asked about flood irrigation and future rules and concerns. Marc discussed the split between agencies and the Moab Irrigation Water Company and Grand Water and Sewer Agency. Marc noted the

system is old and needs some work. Marc noted there is a lot of irrigation and watering with treated water that could be switched to raw water.

Kevin asked about current culinary water usage for irrigation/watering. Marc noted current numbers are likely not accurate.

Sarah asked about aquifer levels and setting safe yield limits. Marc noted safe yield is currently set at 4500 to 7800 acre feet. Marc discussed the potential to start cutting water rights to bring balance to safe yield levels. Marc noted the importance of additional studies and suggested that future studies are in the planning phase.

Sarah asked about the adjudication process and safe yields. Marc noted that Moab City has already requested closure of new aquifer appropriations and Grand County will likely have to do the same.

Marc briefly discussed the Navajo Water Rights Settlement.

Kevin asked about future plans and contingencies and Marc noted Grand Water and Sewer has the rights to several thousand acre feet of water from the Colorado River. Marc discussed the new Colorado River Authority and upcoming negotiations.

Approval of Minutes (Quinn Hall, Clerk/Auditor)

B. April 20, 2021 Regular County Commission Meeting

Motion by Jacques Hadler to approve the minutes from 20 April, 2021.

Motion Seconded by Evan Clapper

Discussion (none at this time)

Motion passes 7-0

Ratification of Payment of Bills

Motion by Gabriel Woytek to ratify and approve payment of bills totaling \$639,395.65 and payroll in the amount of \$250,354.39 for a total amount of payroll and bills combined of \$889,750.04.

Motion Seconded by Jacques Hadler

Discussion (none at this time)

Motion passes 7-0

Commission Member Disclosures (none at this time)

General Commission Reports and Future Considerations

Sarah Stock

- Attended meeting about Community Renewable Energy Program
- Interviewing new Moab Mosquito Abatement director position
- Attended wildland fire assessment meeting
- Division of Wildlife Resources is looking to complete a planned burn

- Attended Weeds Board meeting - new director Izzy Weimholt
- Meeting about Colorado River Authority agency

Trish Hedin

- Attended Thompson Springs Water Board Special Service District meeting
- Attended Planning Commission meeting
- Meeting about Thompson Springs Cleanup meeting
- Noted disappointment with recent vandalism

Jacques Hadler

- Attended Museum of Moab meeting
- Attended Recreation SSD meeting
- Attended Chamber of Commerce board meeting
- Attended Canyon Country Partnership meeting for Mary (who was unable to attend)

Kevin Walker

- Attended a meeting with consultants about a visitor survey
- Attended HDHO appeals hearings
- Upcoming redistricting meetings

Gabriel Woytek

- None at this time

Evan Clapper

- None at this time

Mary McGann

- Attended solar discussion
- Attended emergency drill at the airport
- Attended UMTRA steering committee meeting
- Monitoring for Thompson Springs radiation will be down for a month for construction
- Interviewed with local media about recent vandalism of Native American sites
- Attended airport board meeting
- Mary would like to see what it takes to become part of the Blue Skies initiative
- Mary noted interest in the redistricting discussion

Elected Official Reports

C. Treasurer's Report (Chris Kauffman, Treasurer)

Chris reported on 2020 investments and collections County-wide. Chris noted property tax collections remained strong, with an increase in the 5-year average. Chris discussed collection rates and methods. Chris noted the slight decrease in property tax collection is largely attributed to 2 entities. Trish asked about delinquent taxes and consequences, and Chris explained penalties and interest. Chris discussed the Union Pacific delinquent taxes.

Chris noted an increase in back taxes collected, but suggested some difficulty with centrally assessed properties. Chris discussed online payments, noting the increase in the last year.

Quinn discussed the upcoming Moab City election that will be run by Utah County.

Christina Sloan noted the end of the mask mandate county-wide, but discussed the ability of private business to require masks. Masks will still be required at all County offices. Christina discussed the current case rates in Grand County, noting they're as high as ever. Christina discussed the health departments and local mandates.

Commission Administrator Report

Chris noted the state cancelling the mask mandate also triggered the end of several health/pandemic related policies in the County.

Chris discussed funding for the Colorado River pathway and the recent grant that should help fund completion of the pathway gap.

Chris discussed some appraisals of County property and the potential to use the funds to help create new County facilities and projects. Chris discussed some issues surrounding Thompson Springs. Chris discussed the upcoming bonds with the hospital and some grants.

Chris discussed the recent vandalism, noting we should address it and remove mention of cultural resources sites from promotional materials.

Mallory discussed the Indigent Defense Council grant.

Department Reports (none at this time)

D. Economic Development Brief Staff Introduction (Elaine Gizler, Economic Development Director)

Elaine discussed the recent vandalism, noting the Travel Council was able to create some educational content about protecting historical and cultural resources. Elaine suggested more educational materials from the federal government dealing with responsible recreation.

Elaine introduced the Economic Development Staff; August Granath and Ben Alter. Elaine discussed some upcoming economic development conferences and events. Elaine noted they've distributed masks to Canyonlands Copy Center and they're free to the public.

General Business- Action Items- Discussion and Consideration of:

E. Approving Property Tax Deferrals (Chris Kauffman, Treasurer)

Presentation

Chris discussed the delinquent properties and appropriate deferral reasons. Chris noted the delinquent parcels contain personal property and the County would likely not want the burden of owning that property.

Motion by Kevin Walker to approve the two property tax deferrals as presented.

Motion Seconded by Trish Hedin

Discussion (none at this time)

Motion passes 7-0

- F. Adopting Resolution establishing Grand County's participation as an Anchor Community in the Community Renewable Energy Program and authorizing the Interlocal Agreement between participating public entities (Commissioner Stock)

Presentation

Sarah discussed the Renewable Energy Program and the interlocal agreement, noting Moab City and Castle Valley have already signed the agreement. Christina offered some insight about the payments and development of infrastructure, noting that while local governments pay to support the program, Rocky Mountain Power maintains ownership of infrastructure, and rates may go up. Christina noted our liability exists, but is limited.

Motion by Gabriel Woytek to approve the resolution establishing Grand County's participation as an Anchor Community in the Community Renewable Energy Program, authorize the Interlocal Agreement between participating public entities, and authorize the Chair and Commission Administrator to approve revised Schedules 1 and 2, as necessary, provided that the aggregate of the Phase 1 and 2 Initial and Anchor Payments defined therein do not exceed \$12,004.

Motion Seconded by Jacques Hadler

Discussion

Sara noted the need to appoint a board member.

Motion passes 7-0

- G. Approving amended Code Enforcement/Compliance Officer job description (Renee Baker, Personnel Services Director and Chris Baird, Commission Administrator)

Presentation

Renee discussed the amended job description, noting the changes to reflect more broad planning and zoning duties and code enforcement.

Motion by Sarah Stock to approve the reorganization the COVID Compliance Officer from the Economic Development Department to Code Compliance Officer in the Planning and Zoning Department and approve the updated job description effective 5/5/2021.

Motion Seconded by Kevin Walker

Discussion (none at this time)

Motion passes 7-0

- H. Approving Public Lands Vision Statement (Commissioner Hadler, Commissioner Stock, and Commissioner Walker)

Presentation

Kevin discussed the vision statement, noting the importance of Grand County weighing in on public land uses and opportunities in the County. Kevin suggested the vision statement could help clarify the general opinion of the County.

Christina suggested including language that captures the County's intent to protect and preserve both cultural resources and address the noise issue. Kevin noted the potential for future comments and suggestions.

Motion by Kevin Walker to table item "H" until later in the meeting.

Motion Seconded by Sarah Stock

Discussion (none at this time)

Motion passes 7-0

- I. Approving Noise Pollution Clearinghouse as a Sole Source Provider and Approving Independent Contractor Agreement for Noise Consulting (Christina Sloan, County Attorney)

Presentation

Christina discussed the agreement, noting this would help train officers and familiarize them with the equipment and proposed regulations. Christina discussed the potential to collect and maintain data in order to update the noise ordinance at a later date. Christina discussed different data collection methods.

Sarah asked if vehicle speeds would be collected simultaneously. Christina suggested perhaps speed data could be added or tracked.

Motion by Kevin Walker to approve the Noise Pollution Clearinghouse as a sole source provider and to approve the Independent Contractor Agreement with NPC for Noise Consulting with the amendment that to the extent possible speed data is collected as well.

Motion Seconded by Jacques Hadler

Discussion

Chris noted the need for a budget amendment in order to budget for this. Chris discussed the sole source provider portion of the agreement.

Motion passes 7-0

- J. Approving joint Letter of Support with the City of Moab for implementation of a timed entry system at Arches National Park (Chair McGann)

Presentation

Chair McGann discussed the letter requesting implementation of a timed entry system at Arches National Park, noting the negative impacts to visitors. Mary noted other parks have implemented timed entry systems, and discussed their success in doing so.

Jacques noted agreement.

Motion by Jacques Hadler to approve the joint letter of support with the City of Moab for the implementation of a timed entry system at Arches National Park.

Motion Seconded by Kevin Walker

Discussion (none at this time)

Motion passes 7-0

- K. Adopting Resolution approving amended and restated Trail Mix Committee Bylaws (Christina Sloan, County Attorney)

Presentation

Christina discussed the Trail Mix bylaws, noting current impediments to current procedures. This will streamline Trail Mix operations.

Motion by Sarah Stock to adopt the Resolution approving the Amended and Restated Bylaws of the Grand County Trail Mix Committee and its Exhibit A.

Motion Seconded by Gabriel Woytek

Discussion (none at this time)

Motion passes 7-0

- L. Adopting Resolution approving the Winger Minor Record Survey (Christina Sloan, County Attorney)

Presentation

Christina discussed the Winger Minor Record Survey, noting it's a minor subdivision process. Christina noted the division of a single lot on Robert's Road to 2 lots.

Motion by Kevin Walker to adopt the Resolution approving the Winger Minor Record Survey for real property known as 2580 Roberts Road, Quit Claim Deed creating Parcels 1 and 2, and Road Easement, subject to the following conditions:

1. The Quit Claim Deed and Road Easement reviewed by the County Attorney are recorded simultaneously with the MRS being deposited with the County Surveyor.

Motion Seconded by Jacques Hadler

Discussion (none at this time)

Motion passes 7-0

Consent Agenda Action Items

- M. Ratifying the Chair's signature on license agreement for EventPro 360 technology for Old Spanish Trail Arena

- N. Ratifying the Chair's signature on letter to the Bureau of Land Management regarding cooperating agency input on the Labyrinth Rims/Gemini Bridges planning process
- O. Ratifying the Chair's signature on Letter of Support for grant proposal to address COVID-19 health disparities among populations at high-risk and underserved, including racial and ethnic minority populations and rural communities

Presentation

Motion by Jacques Hadler to adopt the consent agenda as presented.

Motion Seconded by Kevin Walker

Discussion (none at this time)

Motion passes 7-0

Discussion Items

- P. Discussion on modifying Commission meetings start time (Chair McGann and Vice-Chair Woytek)

Chair McGann discussed staff time constraints and scheduling. Mary noted slightly altering meeting schedules may help streamline processes and make meetings go smoother. Mary suggested starting meetings at 3:00pm for department reports and then proceed with the regular meeting and action items.

Kevin suggested some advantages to starting slightly earlier, and noting target times for presentations could be useful.

Gabriel asked staff if moving the meeting up an hour was a problem and Chris noted moving the meeting up could be helpful to staff. Mallory noted support. Mary suggested a straw poll – general agreement.

Item "H" (postponed from earlier) Approving Public Lands Vision Statement (Commissioner Hadler, Commissioner Stock, and Commissioner Walker)

Kevin suggested some minor changes, noting disagreement with some of the suggested changes. Evan, Jacques and Kevin suggested some minor changes and revisions.

Motion by Kevin Walker to adopt the public lands statement as presented and edited during the meeting.

Motion Seconded by Jacques Hadler

Discussion

Gabriel noted agreement with the addition of "quiet enjoyment," but suggested it may seem heavy-handed. Mary noted this is a "vision statement" and it should address some of the issues we face right now.

Motion to amend the original motion by Kevin Walker to include language as it stands now on the screen.

Motion to amend seconded by Sarah

Motion to amend passes 7-0

Sarah noted the upcoming update to the general plan, and wondered if this could be incorporated and Chris responded that it could.

Amended motion passes 7-0

- A. Discussion on expanding, redeveloping or changing of overnight accommodations uses (Chris Baird, Commission Administrator, Abby Scott, Planning & Zoning, and Christina Sloan, County Attorney)

Chris discussed the potential expansion or changes to overnight accommodation uses. Chris discussed the need for clear legislative intent.

Abby discussed redevelopment and the surrounding issues. Abby noted current ambiguity surrounding the term redevelopment, and suggested the need to address issues that arise from redevelopment.

Christina discussed some issues surrounding overnight uses and regulations. Christina noted the need to eventually move forward with updating and addressing this issue and discussed other surrounding issues.

Kevin discussed some of the issues with the OAO and suggested that expansions need to be addressed and could be addressed in different ways, but noted expansions should likely be dealt with by the commission.

Evan suggested that expansion and redevelopment is going to be needed at some point, and the Commission doesn't want to see the community stagnate indefinitely. Evan suggested development was curtailed to allow the County to catch up with the progress, but the County hasn't caught up yet. Evan suggested support for limited expansion with Commission approval.

Abby asked about Commission sentiment on expansion and development.

Evan suggested leaving existing caps in place.

Chris discussed new campgrounds and the potential for expansion and non-conforming uses.

Christina discussed the implications of a "less impactful" redevelopment.

Chris noted potential problems with mixing and matching regulations.

Chris and Christina discussed the difference between different definitions of "redevelopment."

Kevin suggested addressing redevelopment and expansion projects in the Land Use Code.

Chris discussed some of the burdens surrounding legislative decisions.

Chris recommended having a more administrative route vs a legislative route forward.

Christina suggested a straw poll to gauge interest.

Mary asked about a workshop to create administrative guidelines – general support.

- B. Calendar items and special events (Mallory Nassau, Associate Commission Administrator)

Mallory discussed upcoming events and the potential of a special meeting May 27th.

Public Hearings- Possible Action Items

Closed Session(s) (if necessary)

Motion by Gabriel Woytek to enter closed session to discuss character and professional competence of an individual, strategy and discussion of purchase, exchange, or lease of real property and/or pending or reasonably imminent litigation.

Motion seconded by Sarah Stock

Motion passes 7-0

Commission entered a closed session at 7:51

Commission exited closed session at 8:52 pm

Adjourn

Chair McGann adjourned the meeting at 8:52.

GRAND COUNTY COMMISSION:

ATTEST:



Mary McGann, Chair



Quinn Hall, Clerk/Auditor