



**GRAND COUNTY COMMISSION
REGULAR MEETING**

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

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**MINUTES
19 July 2022**

The Grand County Commission met in a regular meeting on July 19th, 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 Chair Jacques Hadler, Commission Vice-Chair Mary McGann and Commissioners Evan Clapper, Trisha Hedin and Sarah Stock. Also attending in-person were Associate Commission Administrator Quinn Hall, and Clerk/Auditor Gabriel Woytek. Commissioner Josie Kovash and County Attorney Christina Sloan were in attendance virtually. Commissioner Kevin Walker was absent.

4:05 p.m. Thompson Springs Special Service Fire District

4:08 pm Call to Order (5:20)

Pledge of Allegiance

Citizens to Be Heard (none at this time)

Presentations (none scheduled)

Department Reports (none scheduled)

Approval of Minutes (Gabriel Woytek, Clerk/Auditor)

July 5th, 2022 (Grand County Commission Regular Meeting)

Motion by Commissioner Hedin to approve the minutes from July 5th, 2022.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion Passes 6-0

Commission Member Disclosures

Commissioner Clapper works with the American Alpine Club and their fundraising event Moab Craggin' Classic, which is the subject of item P in the consent agenda.

Chair Hadler stated that he has a longstanding personal relationship with the applicant related to Item J, but has no ties with the item in question.

Commissioner Kovash stated she is employed by the Moab Music Festival, a disclosure related to discussions regarding Special Event regulation.

General Commission Reports and Future Considerations (9:22)

Jacques Hadler

- Upcoming 7/24 Moab Museum Ice Cream Social, 7-9pm

Trisha Hedin

- Special Events Approval Committee
- Tripartite Board Meeting
- Southeastern Utah Association of Local Government Meeting
- Planning Commission Meeting
- Grand County Conservation District Meeting, Utah Department of Agriculture offering free Pollinator packets containing pollinator friendly plant seeds
- Moab Local Homeless Council, 144 individuals seeking services, 57 homeless including 12 youth, 28 women and 17 men

Sarah Stock

- Community Renewable Energy Program Board Meeting, Strong participation will translate to 25% of Rocky Mountain Power Utah clients using 100% renewable electricity by 2030
- Weed Board Meeting, creative problem solving needed to fill seasonal tech positions
- Land Use Code steering committee, discussion regarding potential Residential Campark Overlay, updating Manufactured Home code

Evan Clapper

- Sand Flats steering committee, review of Sand Flats user orientation videos, pollinator garden to be installed at Sand Flats/GCATT office
- Canyonlands Health Care Special Service District

Mary McGann

- Economic Development Advisory Board, heavy interest in board position openings
- Airport Board 7/11, Tammy Howland hired as new director, two incidents reported, no injuries, one runway lamp damaged, increase in number of armed forces aircraft utilizing airport

Josie Kovash

- 7/6 Special Events Approval Committee
- 7/14 Land Use Code steering committee, discussion regarding potential Residential Campark Overlay, updating Manufactured Home code

Elected Official Reports (none at this time)

Commission Administrator Report (none at this time)

Ratification of Payment of Bills

Motion by Commissioner Clapper to approve and ratify payment of bills in the amount of \$1,082,687.91 and payroll in the amount of \$642,542.88 for a combined total of \$1,725,230.79.

Motion Seconded by Commissioner McGann

Discussion (none at this time)

Motion passes 6-0

General Business - Action Items, Discussion and Consideration of:

A. Approving resolution to consider tax relief for applicants making up to 120% of the income limit

Presentation (Christopher Kauffman, Grand County Treasurer) (25:30)

Presentation

Treasurer Kauffman presented the proposed resolution as shown in the packet. Proposed resolution was prompted by denials in previous round of abatement applications and interest by Commission in considering applicants marginally above income limits. Proposed option based off of (failed) state legislation that sought to increase income limits. Proposed resolution applies to existing Indigent Abatement program, not the Circuit Breaker. Final approval of any abatement would remain at full discretion of the Commission.

Motion by Commissioner McGann to approve the resolution to consider tax relief for applicants making up to 120% of the income limit.

Motion Seconded by Commissioner Clapper

Discussion (none at this time)

Motion passes 6-0

B. Approving relief for 2021 property tax for parcel 02-OSWA-0008 (Christopher Kauffman, Grand County Treasurer) (31:38)

Presentation

Taxpayer Cecilia Showalter, a disabled elderly widow, explained her current financial situation and mental state which has contributed to challenges in addressing personal financial matters. Treasurer Kauffman confirmed that it would be at the discretion of the Commission to forgive the tax burden on Mrs. Showalter.

Motion by Commissioner McGann to approve relief for property tax for 2021 for parcel 02-OSWA-0008 in the amount of \$1,082.16.

Motion Seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 6-0

C. Fiscal Incentive Grant (FIG) for Expansion of Trail Ambassador Program (Anna Sprout, Responsible Recreation Program Coordinator, Grand County Active Trails & Transportation) (37:28)

Presentation

Anna Sprout presented details regarding the grant application as shown in the packet. Chair Hadler sought clarification regarding the county match on the grant application. Commissioner Stock sought clarification on use of proposed CanAm UTV and which trails that it would be used on, Sprout confirmed that it would be potentially used on a variety of area trails. Commissioner Hadler clarified that a full-size off-road vehicle would be the first option for the committee, Sprout clarified that it would be the preference to have both vehicles to maximize impact across the entire spectrum of the motorized community. Commissioner Stock stated that Sand Flats Recreation Area staff already patrols Sand Flats in UTVs and that a full-size vehicle would be safer and more effective in reaching a wider spectrum of trails across the county and having a presence at trail heads. Commissioner Clapper sought clarification regarding the fiscal impact of the proposed action. Sprout expressed that expecting motorized trail ambassadors to use a personal vehicle would set a poor precedent in treatment of staff. Commissioner Hedin sought clarification on cost of tire package, Sprout clarified that quoted tire package would be needed to access a wide range of trail difficulty levels that are available in the county. Commissioner Kovash asked whether consideration had been given to acquiring an electric UTV for this task. Recommendation of gas-powered CanAm given by the committee based on availability. Kovash expressed support for pursuing electric-powered fleet. Chair Clapper expressed support for the direction of the program and expressed hesitance regarding the inclusion of the UTV at this time.

Motion by Commissioner Clapper to approve the grant State OHV Fiscal Incentive Grant (FIG) application with a 50% match amount with only Jeep included.

Motion Seconded by Commissioner Hedin

Discussion

Commissioner Stock inquired about potential annual maintenance costs, which has not been discussed by the Responsible Recreation Committee, but would be partially mitigated by the acquisition of a new vehicle.

Motion passes 6-0

D. Adopting an Ordinance initiating a Temporary Land Use Regulation prohibiting the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval requiring new water connections within the Thompson Special Service District Boundary (1:04:35)

Presentation

Grand County Attorney Christina Sloan described background for the proposed action as presented in the packet. Current 40% water deficit. New sources being sought by water district, but no solutions imminent. Application process with BLM for new water right still incomplete and will still need environmental review upon completion. This temporary land use regulation provides notice to public of water shortage and will prevent new applications from coming forth. Chair Hadler offered that the water district is supportive of this action, as well as related state and federal agencies. Commissioner Clapper clarified that this action would

not give any exemptions for water hauling to facilitate development, given general instability of water sources across the region.

Motion by Commissioner Stock to adopt the ordinance enacting a temporary land use regulation prohibiting the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval requiring new water connections within the Thompson Special Service District Boundary, to be effective August 1, 2022.

Motion Seconded by Commissioner Hedin

Discussion

Commissioner Hedin referenced a local real estate publication touting future development potential in Thompson and expressed curiosity regarding its dissonance with the current availability of water for said development, Commissioner Stock stressed the importance of denying the use of water hauling to facilitate development, Commissioner Clapper spoke of the challenge regarding the realities of regulation and water availability balancing with the palpable excitement and support regarding future of Thompson, Commissioner Hedin clarified that only surface water is available and mentioned the diminishing quality of existing springs in Thompson and in the Bookcliffs area in general.

Motion passes 6-0

E. Terminating Ken Lord Ground Lease dated 12-18-2018 and approving new Ground Lease for Canyonlands Hangars, LLC for Lot 108 at Canyonlands Regional Airport (1:16:50)

Presentation

Tara Collins, Assistant to the Airport Director, presented proposed action as shown in the packet.

Motion by Commissioner Stock to terminate the ground lease with Ken Lord for Lot 108, dated December 18, 2018 and approve a new ground lease with Canyonlands Hangars, LLC for Lot 108.

Motion Seconded by Commissioner McGann

Discussion

Commissioner Clapper and Associate Commission Administrator Quinn Hall clarified that updates to the meeting packet regarding this item were included as of 4pm.

Motion passes 6-0

F. Approval of Special Event Permit for the 2022 RR4W Labor Day Safari & Camp-out (1:18:40)

Presentation

OSTA director Angie Book presented event application as shown in the packet.

Motion by Commissioner Clapper to approve the 2022 RR4W Labor Day Safari & Camp-out Special Event Permit under the currently approved special event Ordinance.

Motion Seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 6-0

G. Approval of 2022 Jeep Jamboree Special Event Permit (1:20:40)

Presentation

OSTA director Angie Book presented event application as shown in the packet. Commission sought clarification as to exact event dates.

Motion by Commissioner McGann to approve the 2022 Jeep Jamboree Special Event Permit under the current Special Event Ordinance.

Seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 5-1, Stock opposed

H. Approval of 2022 PGP Auto Show Special Event Permit (1:22:45)

Presentation

OSTA director Angie Book presented event application as shown in the packet. Commissioner Hadler sought clarification that this was a one-day event. Commissioner Hedin asked if there were any issues with law enforcement in 2021, and there were none. Only complaint from the public was regarding the cost of the entry which event planners are hoping to address for this year's event. No complaints regarding noise derived from this event were reported in 2021. Commissioner Stock spoke to importance of Special Events Committee in addressing special event regulation moving forward, and a preference for supporting locally-run events in the future.

Motion by Commissioner McGann to approve the 2022 PGP Auto Show Special Event Permit under the currently approved special event Ordinance with the condition they provide proof of insurance.

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 6-0

I. Approval of 2022 Moab Overland Expo Special Event Permit (1:29:33)

Presentation

OSTA director Angie Book presented event application as shown in the packet. Attorney Sloan expressed objections to approval based on inconsistency in process. Book expressed that this application had begun processing before recent discussion regarding Special Event regulation. Commissioner Stock expressed an objection to this event based on non-local organization, not-oriented to locals, no need to cater to a current fad, as this sort of recreation in Grand County is already well-established. Commissioner McGann stated that it is reasonable to approve a probationary year for this event especially as a way to stimulate the local economy. Book stated that event organizers have proceeded very far in organization of this event and that denial at this point would represent a significant hardship.

Motion by Commissioner McGann to approve the 2022 Moab Overland Expo Special Event Permit under the current Special Event Ordinance with conditions on providing a special Event Sales Tax license, and 2022 being a probationary year for future special event permitting.

Motion seconded by Commissioner Hedin

Discussion

Hedin highlighted importance of the probationary period for this event. Kovash agreed that imminent process improvements in special events approval will help clarify these decisions in the future. McGann expressed support for local business and concern about perceived reduced visitation. Commissioner Stock expressed that Responsible Recreation program should be included in event to offer education material to eventgoers.

Motion passes 4-2, Clapper and Stock opposed

J. Adopting Resolution approving the Final Plat, All American Acres Subdivision, Lot 5 Amended, located at 4500 Easy Street (Parcel No. 020SAA-0005) (1:44:36)

Presentation

Planning and Zoning Director Elissa Martin presented details on the proposed resolution as shown in the packet.

Motion by Commissioner McGann to approve the Findings of Fact set forth in the staff report dated May 12, 2022 and the proposed Resolution approving the Final Plat of All American Acres Subdivision, Lot 5 Amended with the following conditions: 1.The Owner shall record the SIA and CCRs simultaneously with the Final Plat in the Recorder's Office; and 2.The Owner shall submit an acceptable completion assurance bond for the public improvements and infrastructure as established in the SIA to the County in the amounts set forth in the SIA prior to recordation of the Final Plat.

Motion seconded by Commissioner Clapper

Discussion

Commissioner Hedin made a statement regarding the nature of the LLC representing the applicant, complaints regarding commercial activity based out of the parcel in question, and that commercial traffic can't be tolerated as an additional impact to this neighborhood.

Motion passes 5-0, Hedin abstaining

K. Initiating Proceedings to Amend the Grand County Land Use Code to Require New Developments to Provide a Percentage of Workforce Housing (Or Fees in Lieu) (1:50:25)

Presentation

Planning and Zoning Director Elissa Martin presented details on the proposed action as shown in the packet. Commissioner McGann expressed support for this action as a way to comprehensively address a critical need in the community, and that any permanent solutions will need to involve local builders and realtors as well as the Utah Property Rights Coalition in reaching the most beneficial outcome possible for the community as a whole. Commissioner Hedin stressed that everyone is a stakeholder in the workforce housing crisis. Chair Hadler quoted the reasonings for this action as shown in the packet.

Motion by Commissioner McGann to approve the proposed resolution as read by the Commission Chair.

Motion seconded by Commissioner Hedin

Discussion

Commissioner Kovash stressed the importance of this action and the need to be as active in possible in addressing community needs, in a way that is not controversial to any parties. Attorney Sloan expressed that this is one tool being pursued to address housing needs, along with other possible tools such as long-term camping options and deed restrictions. Elissa Martin offered information regarding the scope of the upcoming Housing Nexus Study.

Motion passes 6-0

6pm Citizens to be Heard (none at this time)

L. Approval of COTAH Rally Special Event Permit (2:10:10)

Presentation

Economic Development Director August Granath recommended postponement of this item until the following Commission meeting.

Motion by Commissioner McGann to postpone approval of the COTAH Rally Special Event Permit

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 6-0

M. Approval of revised Special Event Grant guidelines (2:11:40)

Presentation

Economic Development Director August Granath presented the updated guidelines and their rationale, as shown in the packet. Inclusion of Special Event Grant Scoring Criteria Rubric was the most significant revision to the guidelines. Granath clarified that guidelines include flexibility in order to maximize inclusion of events that present highest levels of community benefit.

Motion by Commissioner Stock to approve the revised guidelines for the Grant County Special Event Grant.

Motion seconded by Commissioner Clapper

Discussion (none at this time)

Motion passes 6-0

N. Approval of the Community Event Grant Program (2:22:05)

Presentation

Economic Development Director August Granath presented proposed program detail as shown in the packet. Emphasis on supporting and developing events geared towards resident participation. Guidelines are a version of Special Event Grant guidelines, amended to reflect this emphasis.

Motion by Commissioner Clapper to approve the Community Event Grant Program

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 6-0

O. Approval of \$100,000 grant for Moab Community Childcare (2:25:35)

Presentation

Economic Development Director August Granath presented grant rationale as shown in the packet. Clarification offered that fiscal impact is \$100,000, not 'none' as quoted in the agenda summary. Contract vetted and approved by the Grand County Attorney's Office. Commissioner Stock requested clarification on whether support for existing childcare programs includes facility improvements and upgrades. Clarification offered that \$5,000 is allocated for matching grants for such efforts. Rob Walker, Economic Development Advisory Board Member and Chair of Moab Community Childcare, offered that program design is oriented towards a holistic approach that looks to support the overall childcare ecosystem in the community.

Motion by Commissioner McGann to approve the grant award of \$100,00 for Moab Community Childcare.

Motion seconded by Commissioner Hedin

Discussion (none at this time)

Motion passes 6-0

P. Appointments to the Economic Development Advisory Board (2:34:35)

Presentation

Economic Development Director August Granath introduced recommended nominations as shown in packet.

Motion by Commissioner McGann to appoint Karen Guzman-Newton, Huseyin Deniz, and Forrest Rodgers to the Economic Development Advisory Board.

Motion seconded by Commissioner Hedin

Discussion

Chair Hadler sought confirmation that the term length for the appointments was two years. County Attorney Sloan expressed a desire to discuss one of the appointments in closed session to discuss character associated with numerous criminal convictions.

Substitute motion by Commissioner McGann to table Item P

Substitute motion seconded by Commissioner Hedin

Substitute motion passes 6-0

Consent Agenda (2:39:47)

Q. Approval of Moab Craggin' Classic Local Consent

R. Approval of proposed purchase of CivicClerk from CivicPlus

S. Approving Independent Contractor Agreement with William M. Guerrero, aka Guerrero Construction

T. Approval of Proposed Agreement between Grand County and the Utah Department of Natural Resources, Division of Wildlife Resources, under Watershed Restoration Initiative project #5938 Mill Creek Partnership III

U. Approval of Proposed Agreement between Grand County and the Utah Department of Natural Resources, Division of Wildlife Resources, under Watershed Restoration Initiative project #5968 Dolores River Restoration 6.0

V. Approval of Proposed Agreement between Grand County and the Utah Department of Natural Resources, Forestry, Fire and State Lands

Motion by Commissioner Hedin to adopt the consent agenda as recited by the Chair

Motion seconded by Commissioner Stock

Discussion (none at this time)

Motion passes 5-0, Clapper abstaining

Discussion Items (none scheduled)

Public Hearings - Possible Action Items

W. Public Hearing to adopt an ordinance approving the Amended Planned Unit Development (PUD) Master Plan for the Arroyo Crossing Development in Grand County, Utah (2:41:30)

Presentation

Planning and Zoning Director Elissa Martin presented the proposed amendments related to housing typology and setbacks, as shown in the packet.

Chair Hadler opened the Public Hearing, to remain open until Wednesday, July 27th at 5pm.

Motion by Commissioner McGann to suspend rules

Motion seconded by Commissioner Clapper

Motion passes 6-0

Discussion

Commissioner Clapper offered clarification that the proposed addition is only meant to address errors and stressed the importance of avoiding delays in this affordable housing development, otherwise typically unfavorable to suspend rules in this way.

Motion by Commission McGann to adopt an Ordinance approving the Amended Planned Unit Development (PUD) Master Plan for the Arroyo Crossing Development in Grand County, Utah

Motion seconded by Commissioner Hedin

Discussion

Commissioner Hedin thanked the Moab Area Community Land Trust for their tireless effort.

Motion passes 6-0

P. Appointments to the Economic Development Advisory Board (2:47:55)

Presentation

County Attorney Sloan clarified that there would no longer be a need to discuss character of the appointments in closed session due to mistaken identity.

Motion by Commissioner McGann to appoint Karen Guzman-Newton, Huseyin Deniz, and Forrest Rodgers to the Economic Development Advisory Board.

Motion seconded by Commissioner Clapper

Motion passes 6-0

Chair Hadler adjourned meeting at 6:53pm

Jacques Hadler
Chair, Grand County Commission

Gabriel Woytek
Grand County Clerk/Auditor