



GRAND COUNTY COUNCIL REGULAR MEETING

Grand County Council Chambers
125 East Center Street, Moab, Utah

Tuesday, February 4, 2020

The Grand County Council met in a regular session on the above date in the Grand County Council Chambers of the Courthouse located at 125 East Center Street, Moab, Utah. The meeting was called to order by Council Chair Mary McGann at 4:01 p.m. In attendance were Council Members Mary McGann, Greg Halliday, Gabriel Woytek, Jaylyn Hawks, Curtis Wells, Rory Paxman, Evan Clapper, Council Administrator Ruth Dillon, County Attorney Christina Sloan, and Clerk-Auditor Chris Baird.

Call to Order

Chair McGann called the meeting to order at 4:01 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Tim Keogh.

Approval of Minutes (Chris Baird, Clerk/Auditor)

- A. **October 2, 2019 (Joint County Council Meeting with Planning Commission), postponed from October 15, 2019**
- B. **October 29, 2019 (Joint County Council Meeting with Planning Commission and Board of Equalization Meeting), postponed from November 6, 2019**
- C. **January 14, 2020 (County Council Special Meeting: Quarterly lunch with elected officials), postponed from January 21, 2020**
- D. **January 21, 2020 (County Council Regular Meeting)**

Motion by Council Member Hawks to approve items C & D. Motion seconded by Council Member Clapper carries 7-0.

Motion by Council Member Hawks to postpone items A & B. Motion seconded by Council Member Clapper carries 7-0.

Ratification of Payment of Bills

Motion by Council Member Paxman to approve the payroll and bills totaling \$1,047,127.49 (Bills \$802,577.31, Payroll \$244,550.18). Motion seconded by Council Member Woytek carries 7-0 by roll-call vote.

Council Member Disclosures

Council Member Clapper has a special recreation permit in the Sand Flats recreation area

Council Member Paxman also has special recreation permits on Federal land

General Council Reports and Future Considerations

Mary McGann: Future Consideration: Moab City would like to have a joint meeting. Reports: Went to the State Capital for the Utah Association of Counties conference, attended a Moab Tailings Steering Committee meeting, a Millcreek Community Collaborative meeting, a meeting concerning noise from UTVs, and attended a Community Development Block Grant (CDBG) meeting.

Gabe Woytek: Attended a Health Department meeting, a Four Corners Behavioral Health meeting, and a VAIL In-deed meeting.

Rory Paxman: Attended an Airport Board meeting

Elected Official Reports

Christina Sloan reviewed the newly submitted "Optional Plan for Grand County Government", and did find some inconsistencies. Sloan provided a red-lined version for approval. The Study Committee did approve this redlined version for submission to the Grand County voters.

Sloan disclosed that her husband's non-profit works on public lands issues and advocacy.

Council Administrator Report

Ruth Dillon reported that she met with the Andy Solsvig (Airport Director) concerning airport issues.

Department Reports

Andrea Brand (Sand Flats) – Gave an update on the demolition and construction of a new modular office for Sand Flats. Reported on some needed work on a trail within Sand Flats.

Zacharia Levine (Community and Economic Development)- Presented on some upcoming events: Canyonlands Business Summit, Grand Area Innovation Network, and an interactive session on effective governance in resort communities.

Agency Reports

Marcy Till: Reported on the Change in Form of Government Study Committee activities. The Committee has approved their optional plan for Grand County Government as a 5 person, all at-large, Council/Manager form. The Committee intends to host two educational open houses prior to the general election, and possibly party caucuses.

Citizens To Be Heard

Marc Horwitz: The form of government committee did an exemplary job. Is grateful that he's been heard when he speaks as a citizen to be heard. Would like citizens to be heard first on the meeting agenda after the pledge. Feels that the Old Spanish Trail Arena is a "fiscal hole" and would like the Council to consider how it might better serve the Community.

Mike Adkison – Asked about the presentation that Mary gave during council reports concerning dust at UMTRA. Indicated that he posted a video showing a dust storm at the remediation site. Is concerned that the phone number available isn't sufficient to deal with dust storms. Reported on a foul smell at UMTRA. Discussed a breach of ammonia that wasn't reported to the Council.

Presentations (none)

General Business- Action Items- Discussion and Consideration of:

E. Adopting proposed resolution approving the Starbuck Lane High Density Housing Overlay (HDHO) Development Final Plat (Zacharia Levine, Community and Economic Development Director)

Motion by Council Member Wells to adopt the resolution approving the Final Plat for the Starbuck subdivision High Density Housing Overlay (HDHO-5) development located at 1991 Starbuck Lane, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Clapper.

Hawks: Asked about the 1st condition, and how it will be incorporated into the final plat? Zacharia will provide the updated plat for signature. Hawks also asked about the condition to build the fence, which was reversed. Zacharia responded that the final documents don't include that requirement.

Motion carries 7-0.

F. Approving proposed Amended and Restated Subdivision Improvements Agreement for the Wingate Village Planned Unit Development (PUD) (Zacharia Levine, Community and Economic Development Director)

Motion by Council Member Clapper to approve the amended and restated Subdivision Improvement Agreement (SIA) for the Wingate Village Planned Unit Development (PUD) , and authorize the Chair to sign all associated documents, with the following condition:

Final plat recordation shall be contingent upon the Clerk/Auditor's approval of the infrastructure improvement guarantee. Motion seconded by Council Member Halliday carries 7-0.

G. Adopting proposed resolution amending the Planning Commission bylaws (Zacharia Levine, Community and Economic Development Director)

Motion by Council Member Woytek to adopt the proposed resolution amending the Grand County Planning Commission Bylaws. Motion seconded by Council Member Halliday carries 7-0.

H. Approving purchase of trucks, equipment and equipment accessories / implements for the Road Department, for a total of \$387,460.56 (Cody McKinney, Fleet Manager in the Road Department, and Bill Jackson, Roads and Bridges Supervisor)

Motion by Council Member Wells to approve the following purchases:

- Replacement Class 8 body dump installed on existing Kenworth Truck. (\$28,183.28)
- Replacement Flat bed and Crane for deteriorated Service Body on Truck. (\$9,862.86)
- 2020 Ford F-350 Cab and Chassis from Ken Garff Ford (\$42,104.89),
- Electric over Hydraulic Dump Body from Semi Service Inc. (\$11,278.48)
- 2020 Ford F-350 Truck from Ken Garff Ford (\$41,731.90),
- Flat bed with Crane from Semi Service Inc. (\$10,192.86)
- Class 8 Semi Truck from Freightliner of Utah (\$105,974.00),
- Plow, Sander/Spreader, and Body Dump to accompany Semi Truck from Semi Service Inc. (\$83,265.29)
- John Deere 325 G Compact Track Loader (Skid Steer) (\$54,867.00)

For a total of \$387,460.56 within budget.

As all purchases were quoted from "Utah State Contract", authorize the Chair to sign all associated documents. Motion seconded by Paxman Council Member carries 7-0

I. Approving purchase of Ford F-350 truck, flatbed, and ATV trailer for the Weed Department, for a total of \$47,956.47 (Cody McKinney, Fleet Manager in the Road Department, and Tim Higgs, Weed Supervisor)

Motion by Council Member Clapper to approve the purchase of 2020 Ford F-350 from Ken Garff Ford (\$41,731.90), a Flatbed purchase and install from Semi Service Inc. (\$4,278.32), and a UTV/ATV Trailer with folding ramp/gate purchase from Jorgensen's. (\$1,946.25) for a total of \$47,956.47 within budget. As all purchases were quoted from "Utah State Contract", authorize the Chair to sign all associated documents. Motion seconded by Council Member Wells carries 7-0.

J. Adopting a Resolution declaring Ravenna Grass a Class IV County Noxious Weed (Tim Higgs, Weed Supervisor)

Kara Dorhenrend – Spoke in favor of the resolution and indicated that Ravenna Grass also presents a serious fire risk.

Tim Higgs presented information concerning the invasive character of this plant and its need to be classified as noxious.

Motion by Council Member Paxman to adopt the "Resolution to declare Ravenna Grass as a class four County Noxious Weed", and authorize the Chair to sign and initial all associated documents. Motion seconded by Council Member Clapper.

Hawks asked about noticing requirements for this resolution? Higgs responded that no public hearing is necessary, but that we should allow for public comment at the meeting.

Motion carries 7-0.

K. Approving bid award and Independent Contractor Agreement for construction of concrete footers for five shade structures in group campsites and picnic area at the Sand Flats Recreation Area (Andrea Brand, Sand Flats Recreation Area Director)

Motion by Council Member Hawks to approve the proposed Bid Award and Contract Agreement between Grand County and Arrowhead Construction of Huntington, UT for the construction of concrete footers for five shade structures in group campsites and picnic area at the Sand Flats Recreation Area as presented and authorize the Chair to sign the Contract and all associated documents. Motion seconded by Council Member Woytek carries 7-0.

L. Adopting proposed amendments to Resolution No. 3143 to designate the Budget Officer (Chris Baird)

Motion by Council Member Hawks to adopt the proposed amendments to Resolution No. 3143 to designate Chris Baird as the Budget Officer and authorize the Chair to sign all associated documents. Motion seconded by Council Member Halliday carries 7-0.

M. Appointing an Interim Clerk/Auditor effective upon swearing in of office and through January 4, 2021 (noon) (Chairperson McGann)

Motion by Council Member Wells to appoint Quinn Hall to fill the interim Grand County Clerk/Auditor vacancy beginning February 18th, 2020 and ending January 4th, 2021 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Woytek carries 4-1-2. Halliday and Paxman opposed, Hawks abstains.

N. Approving proposed job description, position, and recruitment of the Assistant Council Administrator (Grade 21), and eliminating the Council Office Coordinator position (Grade 7), (Renee Baker, Human Resources Director)

Motion by Council Member Clapper to approve the revised job description (to include research support), position, and immediate recruitment for the Assistant Council Administrator at Grade 21, eliminate the Council Office Coordinator position, and authorize the chair to sign all associated documents. Motion seconded by Council Member Woytek carries 6-1 with Council Member Paxman opposed.

O. Approving proposed updated job descriptions for Council Administrator and part-time Council Office Assistant (Renee Baker, Human Resources Director)

Motion by Council Member Clapper to approve updated job descriptions for the Council Administrator and Council Office Assistant and authorize the chair to sign all associated documents. Motion seconded by Council Member Woytek.

Hawks expressed concern about the grade of the office assistant. Staff will revisit the grade for that position at a later time.

Motion carries 7-0.

P. Approving proposed annual ethics pledge for all Grand County Officers and employees (Renee Baker, Human Resources Director)

Motion by Council Member Hawks to approve the annual pledge of ethics for all Grand County Officers and employees and authorize the Chair to sign all associated documents. Motion seconded by Council Member Clapper carries 7-0.

Q. Approving the Community Wildfire Protection Plan (CWPP) for the area not covered by the Moab Valley Protection District and the Grand County Service Area for Castle Valley Fire Protection (Mike Hansen)

Presented by Rick Bailey and Mike Hansen. There is no needed action at this meeting.

Motion by Council Member Hawks to postpone to the next meeting. Motion seconded by Council Member Clapper carries 7-0.

R. Adding an agenda item in regular Council meetings to hold a second Citizens To Be Heard session at 6:00 p.m. (Chairperson McGann)

Motion by Council Member Wells directing staff to bring back revised "Policies and Procedures of the Governing Body" creating a Citizens to be Heard agenda item immediately after the Pledge of Allegiance and again at 6 p.m., and to consolidate comments on agenda items with these Citizens to be Heard agenda items. Motion seconded by Council Member Paxman.

Council Member Wells indicated that he would like to disallow public comment after a motion is made.

Motion carries 7-0.

S. Approving proposed resolution, pending legal review, expressing opposition to Bureau of Land Management oil and gas leases near the Sand Flats Recreation Area and on the City of Moab's sole source aquifer (Chairperson McGann)

Marc Horwitz: Better minds will demand that this not happen. Trump put us in this position. Discussed a well organized militia to defend the watershed.

Motion by Council Member Hawks to approve the proposed resolution and authorize the Chair to sign all associated documents. Motion seconded by Council Member Clapper

Council Member Wells asked if County Attorney Sloan drafted this resolution at the direction of the Council Chair? Chair McGann indicated that, yes, she did.

Council Member Wells indicated that the overlap with Sand Flats and several other uses make this an illogical site for Oil/Gas development.

Motion carries 7-0.

T. Approving proposed letter of support for the new Utah Raptor State Park, located at the Dalton Wells / Willow Springs area (Chairperson McGann)

McGann presented on the letter of support.

Motion by Council Member Clapper to approve the letter of support and authorize the Chair to sign all associated documents. Motion seconded by Council Member Halliday carries 7-0.

Consent Agenda- Action Items

U. Approving the Chair's signature on Independent Contractor Agreement with EFG Consulting, LLC for "Internal Annual Auditing Service to the Grand County Audit Committee"

V. Approving Chair's signature on 'associated document' Resolution adding IMPACT as a partner on a previously approved Southeastern Utah Association of Local Governments (SEUALG) Rural Diversification Grant

W. Ratifying the Chair's January 28, 2020 signature on a letter to the Moab City Council, the Mayor of Moab, and the Moab City Manager, delivered in advance of the City Council meeting held on January 28, 2020, regarding the proposed pre-annexation

agreement between Lions Back Holdings, LLC, (Moab 4x4) and the City of Moab, for property located at approximately 938 and 940 S. Main, Moab

Motion by Council Member Hawks to remove item V from the consent agenda. Motion seconded by Council Member Clapper carries 7-0

Motion by Council Member Hawks to approve items U & W and authorize the Chair to sign all associated documents. Motion seconded by Council Member Clapper carries 6-1 with Council Member Paxman opposed.

Council Member Hawks explained that she asked to remove item V as it is confusing and asked County Attorney Sloan to go over Sloan's amendments to the resolution.

County Attorney Sloan presented on the program and her revisions. There will be a \$1,000 match per year, for three years (previously approved).

Motion by Council Member Hawks to approve the amended resolution adding IMPACT as a partner on a previously approved Southeaster Utah Association of Local Governments (SEUALG) Rural Diversification grant. Motion seconded by Council Member Woytek carries 7-0.

Discussion Items

X. Calendar items and public notices (Tara Collins, Council Office Coordinator)

Tara Collins presented the calendar items and public notices.

Public Hearings- Possible Action Items (none)

Closed Session(s): Pending or Reasonably Imminent Litigation

Motion by Council Member Hawks to enter closed session to discuss "Pending or Reasonably Imminent Litigation". Motion seconded by Council Member Clapper carries 7-0.

The Council entered closed session at 6:38 p.m.

Motion by Council Member Hawks to leave closed session. Motion seconded by Council Member Halliday carries 7-0.

The Council re-entered open session at 6:59 p.m.

Adjourn

Chair McGann adjourned the meeting at 7:01 p.m.

GRAND COUNTY COUNCIL:


Mary McGann - Chair

ATTEST:

Quinn Hall - Clerk/Auditor