



## GRAND COUNTY COUNCIL REGULAR MEETING

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

Tuesday, March 19, 2019

The Grand County Council met in a regular workshop 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 Evan Clapper at 2:04 p.m. In attendance were Council Members Greg Halliday, Mary McGann, Rory Paxman, Terry Morse, Evan Clapper, Jaylyn Hawks, Clerk/Auditor Chris Baird, and Council Administrator Ruth Dillon. Absent was Council Members Curtis Wells.

2:00 p.m.

**WORKSHOP:** Discussion Items (postponed from Council Retreat of February 19, 2019)

### **Southeastern Utah Health Department's proposal to illegalize burning of trash**

Orion Rogers led a discussion regarding open burning in the Moab Valley. Mr. Rogers communicated that burning trash is currently illegal. However, there may be a need for more air quality monitoring in the valley which may help with authorizing open burn windows.

### **Strategic Plan as it relates to:      Prioritization of Capital Projects, including Proposed Administration Building**

Clerk/Auditor Chris Baird led a discussion regarding prioritizing storm water, operational space, and airport capital infrastructure needs.

### **Council board assignments with no vote**

Discussion was had regarding an inventory of Council board assignments with no council vote.

### **Individual Council Member goals for the year**

**Motion** by Council Member Hawks to postpone "Individual Council Member goals for the year" until April 2<sup>nd</sup>. Motion seconded by Council Member Halliday carries 6-0

Council Chair Clapper Adjourned the workshop session at 4:00 p.m.

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 Evan Clapper at 4:08 p.m. In attendance were Council Members Greg Halliday, Jaylyn Hawks, Mary McGann, Rory Paxman, Terry Morse, Evan Clapper, Clerk/Auditor Chris Baird, County Attorney Christina Sloan, and Council Administrator Ruth Dillon. Absent was Council Members Curtis Wells.

### **Call to Order**

Council Chair Clapper called to the meeting to order at 4:08 p.m.

### **Pledge of Allegiance**

The Pledge of Allegiance was led by Colin Fryer.

## **Approval of Minutes (Chris Baird, Clerk/Auditor)**

- A. January 16, 2018 (County Council Meeting), Postponed from March 5, 2019**
- B. June 19, 2018 (City/County Joint Meeting), Postponed from March 5, 2019**
- C. November 20, 2018 (Canvass of the Election), Postponed from March 5, 2019**
- D. March 5, 2019 (County Council Meeting)**
- E. March 11, 2019 (County Council Special Meeting)**

**Motion** by Council Member McGann to postpone the approval of the minutes until April 2<sup>nd</sup>. Motion seconded by Council Member Morse carries 6-0.

## **Ratification of Payment of Bills**

**Motion** by Council Member Paxman to ratify the payment of the bills totaling \$1,162,819.71 (\$931,918.75 accounts payable, \$230,900.96 payroll). Motion seconded by Council Member Morse carries 6-0 by roll-call vote (Council Member Wells absent).

## **General Council Reports and Future Considerations**

**Motion** by Council Member Paxman to table "General Council Reports and Future Considerations". Motion seconded by Council Member Hawks. Council Member McGann mentioned that Kate Cannon may need more time before her presentation and recommended not tabling. Motion carries 5-1 with Council Member McGann opposed.

## **Elected Official Reports (None)**

## **Council Administrator Report**

County Council Administrator Ruth Dillon reported on a CIB Prioritization meeting and that the Change of Government Study Committee has had 2 meetings; she has accepted secretarial duties for the study committee.

## **Department Reports**

### **F. 2018 Noxious Weed Control Report (Tim Higgs, Weed Supervisor)**

Weed Supervisor Tim Higgs presented a report on Noxious Weed Control.

## **Agency Reports**

### **G. Change of Form of Government - Study Committee Update (Study Committee Chair Stephen Stocks)**

**Motion** by Council Member McGann to table agenda item G. Motion seconded by Council Member Morse carries 6-0.

### **H. Public Defender Semi-Annual Report (Aaron Wise, Public Defender)**

Aaron Wise gave a report on the activities pertaining to his contract and Grand County Public Defender. Council Member Jaylyn Hawks requested trends for the next report.

### **I. Report on Arches National Park reservation system economic analysis (Kate Cannon, Superintendent, Southeast Utah Group)**

Kate Cannon: Presented on the reservation system economic analysis. Ms. Cannon indicated that the study area was much broader than the immediate Moab area and includes 12 surrounding counties. Ms. Cannon relayed that due to limited and imperfect available information study has a large margin of error. Ms. Cannon indicated that the projection shows an initial dip and then rebounding economics.

Dottie Byrd: Has been a Moab merchant for 47 years. Thinks a reservation system could be very devastating to the local economy. She relayed that there are different ways to manage visitation.

Josh Greene: GM of local hotel, but representing himself and employees. Arches visitation made it possible to keep employees on. Arches is number one draw to the area. Feels reservations system will cause some to bypass Moab altogether. Tourist would feel unwelcome. Need another exit through Willow Springs

Jeremy Day: Representing GOP and Hotel Organization. This could cause people to lose their jobs. Some companies have invested heavily in the community and they could be affected. His staff educates staff on how to avoid long lines. Urged the council to take a look at the affect and if it is worth the risk.

Randy Day: Mentioned an overwhelming response from poll showing that visitation would decline. There is plenty of room to expand parking and infrastructure within Arches. Reservation system is not the answer. Feels that a shuttle system would help. Feels that majority of community opposes reservation system.

Colin Fryer: Representing his 4 motels and crew. Currently a member of national parks advisory board. Agrees there is a crowding problem. Disagrees that reservation system is a solution. There will be an obvious loss of revenue and resources for the community. Will make people feel unwelcome. Never tried any other place before. Reservation system takes a lot of staff, time, and customer service. Open both toll gates. Need more overflow parking lots. Charge more money to get into Arches. Make new things for people to do: trails, picnic areas, and another exit/entrance.

Ashley Korenblat: If we work together we can solve this. Not a transportation problem, a crowding problem. Experience is degraded. Money is not appropriated for other options. Thinks the reservation system is a good, fast, and inexpensive solution. The over-crowding problem, if not solved, could have a degrading effect on the area's image and economy.

Carla Gregory: Concerned about lack of information about reservation system. Need the growth, and can't scare people away.

Kate Cannon responds: Appreciates comments, and asked for people to be an active participant in the project as it develops.

Mary McGann: Mentioned that someone decided not to go to Moab because there is no reservation system in place. People are staying away because the crowding is unresolved.

Rory Paxman: Thanked Kate Cannon. Noticed that a motor coach had a hard time getting in, while another coach got in easily. Doesn't think the reservation system is a good thing.

Evan: We all want to protect the park, and word is getting out that the experience is degrading in quality. Feels that the reservation system will not be detrimental to the area's economy.

Rory: Asked if the council can help Arches get more funding. Kate responded that if the council can help fund operations that would be great.

**Motion** by Council Member Morse to take agenda item G off the table. Motion seconded by Council Member McGann carries 5-0 (Council Member Paxman temporarily out of the chambers)

**G. Change of Form of Government - Study Committee Update (Study Committee Chair Stephen Stocks)**

Jeremy Day (Study Committee member) gave a progress report on the study committee's meetings in the stead of Stephen Stocks. Email for citizens to contact the study committee: [studycommittee@grandcountyutah.net](mailto:studycommittee@grandcountyutah.net)

**Citizens to Be Heard**

Joe Kingsley: Appreciates being able to work on the junk clean-up project. The container at Sore-No-more is being misused and so will be discontinued. Mary reported that the Solid Waste Special Service District may take over.

Michael Liss: Reported on transit authority activities.

George Johnson: Noticed that there is illegal dumping around the county, which he tries to pick up and drop off at monument waste. Thinks there is something we need to do to clean up illegal dump sites.

## **Presentations**

**J. Brief update on museum building renovation and forthcoming exhibit experience (Forrest Rodgers, Interim Executive Director, Museum of Moab)**

Forest Rodgers gave a report on the Museum's renovation project.

**K. PowerPoint presentation on findings from the needs assessment for future staffing, operational space, and inter-local efficiencies (Aaron Baggarly, AICP, Matrix Consulting Group)**

Aaron Baggarly presented on the findings of the completed "Needs Assessment for Future Staffing, Operational Space, and Inter-local Efficiencies"

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

**L. Ratifying the Vice Chair's signature on a three-year agreement with Environmental Systems Research Institute, Inc., for GIS Software, in the amount of \$25,000 per year (totaling \$75,000) (Matt Cenicerros, Information Technologies (IT) Director)**

**Motion** by Council Member McGann to approve the signature on the ESRI Small Municipal and County Government Enterprise Agreement (EA) and authorize the Chair to sign all associated documents. Motion seconded by Council Member Paxman carries 6-0.

**M. Approving Right-of-Way (ROW) renewal for County Road 215, also known as Thornburg Cotter Mine Road (Bill Jackson, Roads and Bridges Supervisor)**

**Motion** by Council Member Halliday to approve the Right-of-Way (ROW) renewal for County Road 215, also known as Thornburg Cotter Mine Road, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Morse carries 6-0.

**N. Approving authorization for a Special Use Permit for a Stockpile Site, for storage of mineral materials for nearby road maintenance, located adjacent to the La Sal Loop Road near Miners Basin in the Manti-La Sal National Forest (Bill Jackson, Roads and Bridges Supervisor)**

**Motion** by Council Member Halliday to approve the authorization for a Special Use Permit for a stockpile site, for storage of mineral materials for nearby road maintenance, located adjacent to the La Sal Loop Road near Miners Basin in the Manti-La Sal National Forest, and authorize the Chair to sign all associated documents. Second by Council Member Morse carries 6-0.

**O. Approving proposed task order agreement with Armstrong Consultants, airport engineer of record, for design of airport taxiway A and commercial terminal apron (Judd Hill, Airport Director)**

**Motion** by Council Member McGann to approve the proposed task order agreement with Armstrong Consultants, airport engineer of record, for design of airport taxiway A and commercial terminal apron, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Morse carries 6-0.

**P. Approving proposed letter asking Secretary Perdue to deny the State of Utah's petition to alter the 2001 Roadless Rule (Council Member Hawks)**

**Motion** by Council Member Hawks to approve the proposed letter to Secretary of Agriculture, Sonny Purdue, regarding the State of Utah's Petition for Rulemaking to Establish New Management Provisions for Utah's Inventoried Roadless Areas and authorize the Chair to sign associated documents. Motion seconded by Council Member McGann carries 4-2 with Council Members Halliday

and Paxman opposed.

**Q. Approving nomination to the Ogden Pioneer Heritage Foundation for the National Day of the American Cowboy/Cowgirl (Vice Chairman Morse)**

**Motion** by Council Member Morse to approve the proposed nomination of Kirk Pearson and Kortney Backus to the Ogden Pioneer Heritage Foundation for the National Day of the American Cowboy/Cowgirl and authorize the Chair to sign all associated documents. Motion seconded by Council Member Paxman carries 6-0.

□ **Consent Agenda- Action Items**

- R. Ratifying the Vice Chair's signature on a Memorandum of Understanding between the Department of the Interior, Bureau of Land Management, Moab Field Office and Grand County as a Cooperating Agency for Travel Management Planning
- S. Ratifying job description, as redrafted and reformatted by Personnel Systems & Services, for Information/Special Events Facilitator with the Moab Area Travel Council
- T. Approving an Independent Contractor's Agreement with Landmark Design of Salt Lake City for the County's share, not to exceed \$19,000, from Council Discretionary Funds, for the production of a valley-wide Future Land Use Plan and map by August 2019, with special consideration given to the moratorium on accommodations-based developments
- U. Approving proposed thank you letter from Grand County and Moab City to U.S. Congressman John Curtis for support of the Uranium Mill Tailings Remedial Action (UMTRA) project

**Motion** by Council Member McGann to approve the consent agenda and authorize the chair to sign all associated documents. Motion seconded by Council Member Hawks.

**Substitute Motion** by Council Member Paxman to approve items R, S, and U, and authorize the Chair to sign all associated documents. Motion Seconded by Council Member McGann carries 6-0.

**Motion** by Council Member Morse to approve item T and authorize the chair to sign all associated documents. Motion seconded by Council Member McGann carries 4-2 with Council Members Paxman and Halliday opposed.

**Discussion Items**

**V. Discussion on calendar items and public notices (Bryony Hill, Council Office Coordinator)**

Bryony Hill presented the calendar items and public notices.

**Motion** by Council Member Hawks to take "Council Reports and Future Considerations" off the table. Motion seconded by Council Member Paxman carries 6-0.

**General Council Reports and Future Considerations**

Greg Halliday: Attended a Historical Preservation Commission meeting, Transportation Special Service District meeting, Thompson Springs Special Service Water District meeting, and BLM travel management plan meeting.

Jaylyn Hawks: Attended a Canyonlands Healthcare Special Service District meeting, Four Corners Community and Behavior Health meeting, and Moab City Workshop concerning water banking.

Mary McGann: Attended a Housing Task Force meeting; participated in an UMTRA tour; attended a League Women Voters meeting on recycling; attended a Homeless Coordinating Committee meeting, and a Solid Waste Special Service District meeting.

Terry Morse: Attended a Planning Commission meeting.

Rory Paxman: Attended an OSTA Advisory Board meeting.

**Discussion Items (Cont.)**

**W. Update from the Community Land Trust on Arroyo Crossing, and discussion on the concept of revising the County's current Consolidated Fee Schedule ordinance in order to exempt developer application fees and associated impact fees for new affordable housing developments (Kaitlin Myers, Community & Economic Development Specialist)**

Kaitlin Meyers (Grand County Community and Economic Development Staff and Moab Area Community Land Trust Board), Scott Loomis (Mountainlands Community Housing Trust Executive Director), and Audrey Graham (Land Trust Board Chair) presented a request for the waiver of development fees and impact fees for the Arroyo Crossing Land Trust project. Discussion was had regarding the process to amend the Consolidated Fee Schedule as well as the Impact Fee Ordinance to make possible such a waiver. Clerk/Auditor Chris Baird recommended that if the County would like to waive the fees that Grand County should pay those same fees into the impact fee account as those fees are based on real costs. Kaitlin will continue to work on this and bring it back to the Council.

**X. Continued discussion on progress with Land Use Code amendment discussions by the Planning Commission to address concerns outlined in the moratorium that prohibits new land use applications or permits for overnight accommodations in unincorporated Grand County through approximately August 4, 2019 (Zacharia Levine, Community and Economic Development Director)**

Zacharia Levine led a discussion and update regarding the Land Use amendments in progress pertaining to the moratorium on new overnight rental applications.

**Y. Discussion on legislative updates (Council Members Hawks & McGann)**

**Motion** by Council Member McGann to postpone this agenda item indefinitely. Motion seconded by Council Member Hawks carries 6-0.

**Public Hearings- Possible Action Items**

**Z. Public Hearing to solicit public comment on a proposed ordinance updating outdoor lighting sign illumination standards (Zacharia Levine, Community & Economic Development Director)**

Zacharia Levine presented the proposed Dark Skies Ordinance.

Council Chair Clapper opened the public hearing at 7:48 p.m.

Dennis Silva: Believes most residents support changes. Dark skies attract tourists and enhance the visitor experience. Should not lose dark skies by not designing to preserve it. Would like the council to approve.

Solana Jade Sisco: Ordinance intersects with Arches reservation system. Ordinance can help Grand Co. become a better destination.

Anne Claire Erickson: Representing Western Spirit Cycling. Expressed how many guests appreciate the dark skies. Supports the ordinance.

Sharon Brussel: Supports the ordinance, and expressed that the City has lost the ability to see the Milky Way, but it is still visible in Spanish Valley. Keeping skies dark is not a difficult problem. The night sky is a shared resource. Concerned about the effect of new development.

Mary O'Brien: Key is light will be supported where needed but not where not needed. Mentioned that half the wildlife needs dark skies.

George Johnson: Born and raised here. Concerned about the cost to low-income residents. Doesn't think that we should spend money on this. Doesn't support the ordinance. Mentioned that police chief

and sheriff told him that no one had talked to them about it. To reduce crime you don't dim lights, you add lights.

Danny Kent: Likes it dark, and asked for some street lights to be dimmed next to his house. Supports the ordinance. Wildlife will be served by the ordinance.

Erin Thompson: Supports the ordinance. Is a contractor and doesn't think it will negatively affect contractors.

Kate Niederehe: Representing Canyonlands Field Institute, part of programming is night sky education. Uses dark skies as a part of the educational experience. Some students experience shooting stars for the first time. In support of the ordinance.

Pat Barry: San Juan Co. resident discovered that their dark skies ordinance was dropped. Light has no boundaries unless you shield it. Stated that San Juan commissioners wondered why there wasn't coordination with Grand on this issue. Suggested sending a letter to San Juan Co. indicating support for dark skies.

Susan Barry: Retired law enforcement. A lot of light brings in a lot of crime at truck stops and gas stations. Light can cause glare and create a safety issue.

Mary Moran: Businesses have in the past stated that they need bright lighting to attract customers, but currently don't rely on that.

Stephanie Dahlstrom: Supports the ordinance.

Suzy Harrington: Has worked on previous light ordinance attempts in the past. This ordinance now addresses the sunset clause. The Moab glow has become more prominent in the back country. Retrofitting current lighting is necessary to bring dark skies back. As an architect, stated that this is not a hard thing to do.

Kevin Walker: Expressed how little opposition there was at the Planning Commission. This is about shielding and not about brightness. If we pass this it might prompt San Juan Co. to do the same. Maintain the retro-fit /sunset clause. Could fund-raise to help cover costs. Astro-tourism is popular.

Karen Guzman Newton: Encourages the passage of the ordinance. The City or Moab is also considering such an ordinance.

Liz Thomas: In support of the ordinance. Thinks that there are creative way to help cover costs.

Anna White: Supports ordinance. Has seen the degradation of the night skies.

Joette Langianese: Chair of dark skies group. A lot of people wanted to be involved in this ordinance. Friends of Arches has budgeted to help cover costs for citizens.

Crystal White: Gave a demonstration of light shielding.

Nancy Orr: Related that a neighbor updated a light which caused glare and caused her to run over her garbage can.

Kalen Jones: Ordinance was based on other jurisdiction's ordinances. However, drafted a simple ordinance that would be balanced and an improvement of the current code. This ordinance helps preserve rural character. Encourages the council to pass the ordinance as written.

Zacharia: requests attorney review prior to passage.

The public hearing to remain open for public comment until March 27<sup>th</sup> at 5pm.

Council Member Rory Paxman left the meeting.

**Closed Session(s):**

**Purchase, Exchange, Lease or Sale of Real Property, including any form of water right or water shares; Character, Professional Competence or Physical or Mental Health of an Individual.**

**Motion** by Council Member McGann to enter closed session to discuss "Exchange, Lease or Sale of Real Property, including any form of water right or water shares" at 8:43 p.m. Motion seconded by Council Member Morse carries 5-0.

**Motion** by Council Member McGann to leave closed session at 9:09 p.m. Motion seconded by Council Member Hawks carries 5-0.

**Motion** by Council Member McGann to enter closed session to discuss "Character, Professional Competence or Physical or Mental Health of an Individual" at 9:12 p.m. Motion seconded by Council Member Hawks carries 5-0.

**Motion** by Council Member Hawks to leave closed session at 10:00 p.m. Motion seconded by Council Member McGann carries 5-0.

**Adjourn**

Council Chair Clapper adjourned the meeting at 10:01 p.m.

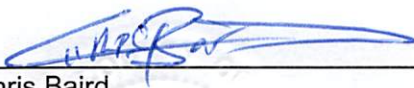
**COUNCIL:**



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Evan Clapper  
Grand County, Council Chair

**ATTEST:**



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Chris Baird,  
Grand County, Clerk/Auditor