



GRAND COUNTY COUNCIL EMERGENCY MEETING

Grand County Council Chambers
Held virtually on Zoom
Moab, Utah

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MINUTES 19 MAY 2020

The Grand County Council met in a regular meeting on 19 May, 2020. Due to the COVID-19 Pandemic, the meeting was streamed/attended electronically. It was also broadcast on YouTube. Council members in attendance were Chair Mary McGann, Rory Paxman, Gabriel Woytek, Curtis Wells, Evan Clapper, Jaylyn Hawks, and Greg Halliday. Also in attendance were County Council Administrator Chris Baird, Assistant County Council Administrator Mallory Nassau, County Attorney Christina Sloan, Human Resources Department Head Renee Baker, and Clerk/Auditor Quinn Hall.

4:13 pm

Call to Order

Chair McGann called the meeting to order at 4:13 pm.

Pledge of Allegiance

The pledge was led by Greg Halliday

Citizens to Be Heard: (none at this time)

Approval of Minutes (Quinn Hall, Clerk/Auditor)

A. April 30, 2020 (Emergency County Council Meeting)

Presentation: (none at this time)

Motion by Jaylyn Hawks to approve the minutes from 30 April, 2020 Emergency County Council Meeting and authorize the chair to sign all associated documents.

Motion Seconded by Evan Clapper

Discussion: (none at this time)

Roll Call Vote: Jaylyn Hawks, yes. Curtis Wells, yes. Greg Halliday, yes. Gabriel Woytek, yes. Rory Paxman, yes. Evan Clapper, yes. Mary McGann, yes.

Motion passes 7-0

Ratification of Payment of Bills

Presentation: (none at this time)

Motion by Greg Halliday to postpone ratification of payment of bills until June 2nd, 2020.

Motion Seconded by Evan Clapper.

Discussion: (none at this time)

Roll Call Vote: Greg Halliday, yes, Jaylyn Hawks, yes. Rory Paxman, yes. Curtis Wells, yes. Evan Clapper, yes. Gabriel Woytek, yes. Mary McGann, yes.

Motion passes 7-0

Council Member Disclosures

Greg Halliday – None at this time

Jaylyn Hawks - Co-owner of overnight rental and there is an agenda item involving a relative that Councilmember Hawks will recuse on

Rory Paxman – Has a Bureau of Land Management (BLM) use permit, a National Park Service (NPS) Commercial Use Authorization (CUA), and is a hotel owner

Curtis Wells - Owns an interest in nightly accommodations business in the city of Moab

Evan Clapper – Has a special use permit with the BLM and a CUA with the NPS for recreation

Gabriel Woytek – None at this time

MM – None at this time

General Council Reports and Future Considerations

Gabriel Woytek

- Met with Canyonlands Healthcare Special Service District – they were able to defer payments until later
- The care center has 4 negative pressure rooms and is continuing safely

Evan Clapper

- Attended Arches Hotspot Regional Coordinating Committee meeting
- Met with Cemetery District Board
- Met with Sand Flats Stewardship Committee and discussed possible openings of historically closed routes
- Met with Emergency Medical Services (EMS) and discussed possible future financial shortfalls
- EMS calls seem to be picking up slightly

Curtis Wells

- Mosquito Abatement District meeting was cut short
- Attended Arches Hotspot Funding Committee meeting and discussed possible future projects
- Spanish Valley Multi-Use pathway will be evaluated in conjunction with hotspot funding
- Discussed possible Main Street improvements
- Discussed off-Main Street parking and urban design
- Has heard from business and constituents about economic recovery
- Discussed Forest Service Management Plan revisions and Motorized Trails Committee

Rory Paxman

- Offered an airport update and noted things are picking up slightly
- Taxiway and runway projects are proceeding
- Tours are increasing as are general aviation activities
- Airport parking lot was repaired
- Some tenants at the airport would like relief funding for lease and rent at the airport

Jaylyn Hawks

- Arches Hotspot meetings seem to be going well
- Planning Commission meeting appointed a new Chair/Vice Chair
- The Planning Commission is creating a letter to the county seeking direction on the area and potential development near Hwy 313.
- Noted that people are wanting masks to be mandatory in public/common areas

Greg Halliday

- Attended transportation special services district (SSD) meeting.
- Jackson Street phase II is on hold for now – the Community Impact Fund Board (CIB) has halted funding temporarily
- Arbor Lane flood control is not requesting funds from the transportation district
- Attended a virtual meeting with Thompson Springs Special Services District (TSSSD)
- The 911 system in Castle Valley went down temporarily on 18 May 2020

Mary McGann

- Talked with Rep. Curtis about possible funding for gateway communities
- UMTRA has shifted 10.6 million tons – 66% complete
- Dalton Wells dispersed camping area is moving forward
- Utah State University (USU) has seen an increase in enrollment
- USU building project has been delayed a due to COVID-19

Council Administrator Report

Chris Baird

- Auditors are coming next week
- 2020 Budget amendment should be ready by mid-June
- Elaine Gizler was able to secure 75,000 masks for businesses in the county
- Health Department may want to do another local health order
- Grand County is likely to go into the “yellow” phase in June
- Each department would make plans for walk-ins or appointments or regular hours
- Event permitting committee should be coming back online and working to arrange events that operate within health department and state guidelines
- Library is looking at plans to reopen
- \$100,000 grant for campsites near Dalton Wells
- The Grand Center will have an alternative reopening strategy

Elected Official Reports

Christina Sloan

- Health Department wants to move toward a slow reopening
- Increase lodging capacity from current levels
- Potential to open BLM campsites to 50%
- Private business has wide latitude for requiring masks and can restrict public access
- The Governor’s Office is not supportive of a mask requirement
- Courts are staying the “red” zone for now with appearances happening remotely
- Reached out to Moab Regional Hospital – no new positive COVID-19 cases as of last Saturday – but 7 people have tested positive for antibodies in Grand County
- Call with Senator Romney scheduled for Wednesday to seek stimulus funding
- Call with Senator Lee scheduled as well

Quinn Hall

- Auditors are coming next week
- June primary election will be Vote By Mail

Larry Ellertson (Rep. Curtis' office)

- Interested in what's going on in Grand County

Department Reports

B. Personnel Services Department Report (Renee Baker, Personnel Services Director)

Renee Baker

- Presented on savings from reduced staffing levels/furloughs
- Expanded FMLA available and open to all employees
- Emergency paid sick leave
- Discussed Possible COVID-19 expense reimbursements

Agency Reports (none at this time)

Presentations (none at this time)

General Business – Action Items – Discussion and Consideration of:

C. Approving proposed resolution adopting revised Policies and Procedures for the Governing Body and repealing and replacing resolutions 3092 and 3210 (Christina Sloan, Grand County Attorney)

Presentation:

Christina presented changes to the Bylaws so Grand County would be more in line with Utah State law. These changes should streamline meetings and increase efficiency. Prior bylaws required all ordinances to be subject to public hearings. Changes to current bylaws should make things easier going forward.

Some discussion about wording and language changes

Motion by Evan Clapper to adopt the proposed resolution approving the revised Policies and Procedures for the Governing Body and repealing and replacing Resolutions Nos. 3092 and 3210 and to include changes suggested and authorized by County Administrator and Legal Counsel, and authorize the Chair to sign all associated documents.

Motion Seconded by Greg Halliday

Discussion: (none at this time)

Roll Call Vote: Greg Halliday, yes. Jaylyn Hawks, yes. Rory Paxman, yes. Curtis Wells, yes. Evan Clapper, yes. Gabriel Woytek, yes. Mary McGann, yes.

Motion passes 7-0

D. Approving proposed resolution adopting revised electronic meetings policy for Grand County public bodies and repealing and replacing resolution no. 2944

(Christina Sloan, Grand County Attorney)

Presentation:

Christina presented revisions to the by-laws concerning electronic meetings that should streamline and make electronic meetings easier going forward – removes “anchor location” requirements for electronic meetings.

Motion by Evan Clapper to adopt the proposed resolution approving a revised Electronics Meeting Policy for Grand County Public Bodies and repealing and replacing Resolution No. 2944.

Motion Seconded by Greg Halliday

Discussion:

Some discussion about changes and wording and definitions regarding “quorum” and “anchor location” and the definition of being “present.”

Motion by Evan Clapper to amend the previous motion to include edits discussed.

Motion seconded by Greg Halliday

Motion passes 7-0

Motion by Evan Clapper to adopt the amended resolution with included/suggested edits.

Motion seconded by Greg Halliday

Motion passes 7-0

E. Approving proposed resolution renaming county road “South Plateau Drive” to “Bonnie’s Way” (Mila Dunbar-Irwin, Planning and Zoning Administrator)

Presentation:

Christina discussed the abundance of roads named “Plateau Drive,” and noted that residents on the road do not object to the renaming. The name will be updated prior to recording.

Motion by Curtis Wells to approve the proposed resolution renaming “South Plateau Drive” to “Bonnie’s Way.”

Motion Seconded by Rory Paxman

Discussion: (none at this time)

Motion passes 7-0

F. Approving proposed resolution establishing the Grand County Economic Development Advisory Board (“GCED Board”) (Zacharia Levine, Community and Economic Development Director)

Presentation:

Zacharia Levine discussed Utah House Bill (HB) 95 and noted it eliminates the current method of BEAR funding. It replaces it with a Rural County Grant Program (RCGP). Grand County would receive more funding than before and be eligible for competitive funding processes as well if it establishes a Community Economic Development Advisory Board. Zacharia noted it would be best to have this in place by mid-June.

Discussion:

Evan noted this seems like a good idea. Would like to potentially establish the board and by-laws tonight and move forward from there. Zacharia noted that a partial board could be appointed immediately, and the balance of the board could be appointed later. Zacharia noted he'd reach out and seek interested parties for the board. Curtis noted the list of appointees seems good. Jaylyn noted the list contains some talented people, but expressed a desire to seek out a broad pool of potential members. Jaylyn suggested adopting the resolution and filling board positions later.

Motion by Jaylyn Hawks to adopt the proposed resolution establishing the Grand County Economic Development Advisory Board (GCED Board) with associated bylaws with individuals on board to be named at 2 June, 2020 council meeting.

Motion Seconded by Evan Clapper

Discussion: (none at this time)

Motion passes 7-0

G. Adopting proposed resolution approving the final plat of the Hawks Subdivision, a high-density Housing overlay, located at 2095 S., 2120 S., and 2130 S. Plateau Drive (Zacharia Levine, Community and Economic Development Director)

Presentation:

Mila Dunbar-Irwin discussed the final plat for the HDHO applied to the Hawks subdivision. Mila noted all concerns have been resolved.

Motion by Evan Clapper to adopt the resolution approving the Hawks Subdivision final plat for the parcels located at 2095 S., 2120 S., & 2130 S. Plateau Drive.

Motion Seconded by Gabriel Woytek

Discussion: (None at this time)

Motion passes 6-0-1 with Jaylyn Hawks recusing

Citizens to Be Heard (none at this time)

Motion to recess

Motion passes 7-0

Grand County Council in Recess at 6:02 pm

(See separate minutes for Grand County Municipal Building Authority Special Meeting during this time)

Grand County Council out of recess and reconvened/called to order at 6:28 pm

Consent Agenda- Action Items

- H. Ratifying the Chair's signature on a letter requesting Grand County's Cooperating Agency Status for the Utah September 2020 Oil and Gas Lease Sale and all future oil and gas leases affecting land in Grand County (Christina Sloan, Grand County Attorney)
- I. Ratifying the Chair's signature on letters requesting stimulus funding for Gateway Communities to Utah's U.S. Representative Curtis and U.S. Senators Lee and Romney (Christina Sloan, Grand County Attorney)
- J. Ratifying the Chair's signature on a letter to the National Park Service Superintendent supporting the Southeast Utah Health Department's recommendation for the slow and cautious reopening of Arches and Canyonlands National Parks (Christina Sloan, County Attorney)
- K. Ratifying the Chair's signature on the Rural Community Development Initiative (RCDI) USDA Grant Assurance Agreement (Councilmember Hawks)
- L. Ratifying the Chair's signature on a letter of support for the Southeastern Utah Economic Development District's proposal to the Economic Development Administration for a grant to fund the Revolving Loan Fund program (Councilmember Hawks)
- M. Approving the Amended Plat of Wingate Subdivision, a Planned Unit Development (Zacharia Levine, Community and Economic Development Director)

Presentation: (none at this time)

Motion by Greg Halliday to adopt the Consent Agenda.

Motion Seconded by Evan Clapper

Discussion: (none at this time)

Motion passes 7-0 (consent agenda passed)

Discussion Items

- N. Discussion regarding opportunities to further reduce payroll expenses and compensation levels (Councilmember Wells)

Discussion:

Curtis discussed likely upcoming budget amendments and noted resident incomes are down and residents are looking to local government for guidance. Curtis noted council members can decline compensation voluntarily, and suggested reducing compensation of council members may have a positive impact on the future budget. Curtis shared stats and figures about councilmember compensation and asked for some discussion of the issue.

Mary noted the council reducing salary expenses is a good idea. Evan noted the importance of the discussion, and commented about the ability of council members to decline any compensation. Evan noted the impact of CARES act funding and expressed a desire to see how the numbers play out with the potential for more funding. Evan noted that seeing a revised, county-wide, budget before making any formal decisions would be helpful.

Jaylyn expressed a desire to have more conversations along this line.

Chris described some of the budget cuts the county has already made and discussed progress in decreasing expenditures for the year. Chris discussed the lag in reporting revenue and collected fees and taxes, and suggested salary cuts and adjustments will likely have to be made to balance the budget.

Curtis discussed expenses vs revenue, and expressed concern that elected leadership in the county is reluctant to reduce compensation. Curtis encouraged the council to consider options to further reduce expenses county-wide.

Gabriel suggested he's willing to discuss and consider a reduction in compensation for the council.

Mary commented that the council certainly has a responsibility to help the county move forward and recover financially.

Greg noted council members do not receive other benefits and expressed hesitation about returning to prior status of the least-compensated county in the state.

Chris noted that the county provides many services that are statutorily required and the county provides other services that are not tourist related, but instead serve a broad public need.

Greg noted he would support a 25% reduction in compensation.

O. Discussion regarding the creation of a steering committee to assist the Grand County Council and Staff for purposes of revising the Grand County Economic Development Plan to reflect economic recovery needs and opportunities to diversify our local economy (Councilmember Wells)

Discussion:

Curtis discussed the difference between the Economic Development Department and the Economic Development plan and opportunities to diversify. Curtis discussed the potential to draw business to the County and the potential of remote work opportunities. Curtis noted this a great time to capitalize on the opportunity to draw a remote workforce to the county. Curtis described how he'd like to see the County take the lead in creating opportunities for diversification.

Chris discussed the 3rd round of relief funding for the County and the fund splits and requirements for the funding. Chris suggested a group to steer and direct development and diversify the economy is a good idea.

P. Calendar items and public notices (Mallory Nassau, Assistant Council Administrator)

Mallory discussed upcoming calendar events. Open and public meetings act training has been cancelled. The training will be offered online through the state auditors website.

Public Hearings- Possible Action Items

Q. Willow Springs - Rezone to Apply the Overnight Accommodations Overlay (Zacharia Levine, Community and Economic Development Director)

Discussion:

Zacharia discussed applying the Overnight Accommodations Overlay (OAO) to the Willow Springs. Zacharia noted the parcel is just northwest of Hwy 191 and Hwy 313. It would be a campground on a ~12 acre parcel. Staff have not provided a recommendation. The Planning Commission returned an unfavorable recommendation.

7:42 pm Public Comments

Michael Skarda – a nearby landowner – supports the proposed development.

Reed Pendleton – proponent/owner/developer – noted he's read the public comments and wishes to address issues. Reed described the well on the property and suggested water shouldn't be an issue. Reed noted he doesn't necessarily want to bring in more tourists, but wants to accommodate existing tourists. Reed said the proposed campground would be minimal and would conform with or be similar to other existing, nearby campgrounds. Reed described the lack of hook-ups for existing tourists and noted the increase in Recreational Vehicle (RV) popularity. Reed clarified that Electric Vehicles (EV's) would be able to charge at all the RV hook-ups. Reed suggested he could alter the plans and include adjacent facilities and would be open to suggestions about open space requirements.

Jaylyn suggested she'd like to see a more cohesive and comprehensive plan for the area. Mary said she shared the concern. Gabriel shares similar concerns.

Public comment period will remain open for written comments until Wednesday, May 27th at 5:00 pm.

R. OK RV Park - Rezone to Apply the Overnight Accommodations Overlay (Zacharia Levine, Community and Economic Development Director)

Discussion:

Mila-Dunbar Irwin discussed the proposed overlay and described the land and the proposed use – 6 sites for employee housing. The proponent is willing to deed-restrict the property to employees only.

Zacharia discussed zoning and alternatives.

Valerie (Christel) Reynolds lives adjacent to the property. She understands the concern and need for affordable housing, but suggests that this is not a good solution. Suggested that the sites may be used for transient workers trading work for "lodging." Suggested that current use seems more commercial than residential.

Adam Oris – proponent/owner/developer. Adam addressed some concerns that were brought up. He noted that he intends to replace the fence and move the RV's. Adam noted he's very concerned about the shortage of housing. He feels this employee housing aligns with the desire of the county. Adam noted the long-term plan would likely involve more permanent structures.

Mila discussed the potential of deed restricting the property for future use. Zacharia noted that a deed restriction would transfer if the property was sold. Christina noted deed restrictions generally run in perpetuity.

Public comment period will remain open for written comments until Wednesday, May 27th at 5:00 pm

S. Namaste Rock - Rezone to Resort Commercial (Zacharia Levine, Community and Economic Development Director)

Discussion:

Mila described the project – a ~24 acre parcel currently zoned for range and grazing the proponent wants to rezone to resort commercial. The planning commission returned an unfavorable decision. Mila noted water concerns and visual impacts to the area. Mila noted the applicant is in no way held to the plans in the packet.

Mila noted there is some zoning classified as “resort special” in the area, but not “resort commercial.” Resort commercial allows higher density. Zacharia discussed the differences between resort commercial and resort special. Zacharia noted the intent of the applicant to develop fast food/dining restaurants. Zacharia noted the differences with the high density housing overlay (HDHO) and resort commercial and suggested the process of applying the HDHO would be somewhat involved.

Michael Skarda – proponent/owner/developer. Michael noted they are not seeking permission for overnight accommodations, but plan on building residential homes. He noted they are seeking more density than resort special allows. Expressed a desire to meet the needs of the county in regard to housing and dining. Noted the proximity to Highway Commercial zoning. Michael discussed the potential cost of developing the area, and suggested the potential to purchase a home or property with an FHA loan.

Public comment period will remain open for written comments until Wednesday, May 27th at 5:00 pm

T. Strawburb - Planned Unit Development (Zacharia Levine, Community and Economic Development Director)

Discussion:

Mila described the project and noted the underlying density is not increased and the proponent has a memorandum of understanding (MOU) with Community Rebuilds. The 4 lots would fit in the front portion of the lot. Mila noted the staff supports the application.

Jessica Manderfield – Community Rebuilds. Spoke in favor of the project. Noted the affordability component is desirable.

Trisha Hedin – resident on Easy Street. Was under the impression that there should be curb and gutter by changing the zoning. Suggested saying with 1 acre lots.

Stephanie Dalstrom – resident of Easy Street. Expressed some confusion about the setback. Discussed the plan suggested “open space” but may actually not be so “open.” Would like to know if the lots will actually be affordable. Noted that Vista Antigua is not near All American Acres. Suggested the density is incompatible with surrounding areas.

Lucy Curtis – expressed concern about Strawburb. Suggested a better access is not Easy Street, but Chapman Lane. Worried about high density precedent that would be set by the project. Noted the importance of agriculture in Spanish Valley. Suggests property taxes would likely rise if project is approved.

Terri(?) Galen expressed concern about the project. Has lived in the area and noted erosion of rural feel over time. Suggests the development is changing the nature of the neighborhood. Wants to know which crops will be planted in the future. Expressed fear her farm would be squeezed out.

Kalen Jones – owner/proponent. Has been talking to Community Rebuilds since November. Has a MOU with Community Rebuilds. Kalen discussed the changing nature of Easy Street and All American Acres. Kalen suggested often times 1 acre lots don’t adequately preserve the rural residential nature of the area.

Public comment period will remain open for written comments until Wednesday, May 27th at 5:00 pm

Motion by Evan Clapper to enter closed session to discuss the character, professional competence or physical or mental health of an individual.

Motion Seconded by Greg Halliday

Motion passes 7-0

The Council entered a closed session at 9:12 pm.

Reconvene/Call to order regular council meeting at 9:35 pm.

Council Chair McGann adjourned the meeting at 9:36 pm.

Adjourn