



GRAND COUNTY COUNCIL REGULAR MEETING

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

Tuesday, June 18, 2019

The Grand County Council met in a 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 2:02 p.m. In attendance were Council Members Evan Clapper, Curtis Wells, Mary McGann, Jaylyn Hawks, Greg Halliday, Terry Morse, Rory Paxman (arriving 3:10), Council Administrator Ruth Dillon, and Clerk-Auditor Chris Baird. Also in attendance were Travel Council Advisory Board members Laici Shumway, Howard Trenholme, Zach Bynum, Cherie Major, Sharon Kienzle, Jacob Suter, and Director Elaine Gizler.

2:00 p.m. Joint County Council- Moab Area Travel Council Board Meeting:
County Council Recommendations for Travel Council 2020 Marketing Plan

Howard Trenholme expressed concern about not taking the State cooperative marketing grant. He presented a letter to the council. Expressed that the Travel Council marketing is essential for leveling out a seasonal economy.

Zach Bynum – Would like to work more closely with the Council to coordinate promotional efforts. Would like to align visions and increase teamwork.

Evan Clapper – Thanked Travel Council for their work. Appreciates educational advertising. Wanted a pause in grant marketing to get caught up on a lot of issues.

Mary McGann expressed that a lot of service providers are being stressed by rapid growth.

Howard Trenholme – How do we explain to investors that we are going to switch off their marketing? Are we going to have to increase property taxes if we reduce tourism related income?

Curt Wells- Expressed that the Travel Council advisory board is advisory, and if the council doesn't take that advice it isn't unprecedented. Would have preferred to address grants at the time of budgeting for the upcoming year.

Evan Clapper expressed that the council refused the grant because they don't want to advertise to new markets. Would like to spend the \$250,000 on more educational promotion. Community is requesting that we pump the brakes.

Terry Morse: Growth has outstripped our ability to support a sustainable and livable community. There are a lot infrastructure concerns that need to be addressed.

Laici Shumway expressed that the advisory board agrees on moving more toward responsible educational advertising, but that we still need to advertise. Some small businesses relies on the marketing of the travel council, and will slide backwards if the council reduces advertising.

Some agreement was expressed that the TC will increase its educational and sustainable marketing, and perhaps reduce its overall marketing budget.

Chair Clapper recessed the workshop at 3:12 p.m.

Call to Order

Chair Clapper called the Grand County Council meeting back to order at 4:15 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Alice Drogan.

Approval of Minutes (Chris Baird, Clerk/Auditor)

- A. **April 16, 2019 (County Council Meeting), Postponed from May 7, 2019**
- B. **May 7, 2019 (Joint City-County Council Special Meeting), Postponed from May 21, 2019**
- C. **May 7, 2019 (County Council Meeting), Postponed from May 21, 2019**
- D. **May 21, 2019 (County Council Meeting), Postponed from June 4, 2019**
- E. **June 4, 2019 (County Council Meeting)**
- F. **June 10 (Joint County Council Meeting with San Juan County Commissions and SITLA)**
- G. **June 11, 2019 (Special County Council Meeting)**

Motion by Council Member Hawks to postpone agenda items A – G. Motion seconded by Council Member McGann carries 7-0.

Ratification of Payment of Bills

Motion by Council Member Paxman to ratify the payment of the bills totaling \$1,974,331.48 (Payroll - \$267,260.46, Bills - \$1,707,071.02). Motion seconded by Council Member Morse carries 7-0 by roll-call vote.

General Council Reports and Future Considerations

Greg Halliday: Attended a Road Department BBQ, a Change of Gov. presentation in Castle Valley, and a Rotary Club meeting.

Jaylyn Hawks: Attended a Canyonlands Healthcare Special Service District meeting, a Road Department BBQ, a Planning Commission meeting, a Form of Gov. open house at GWSSA, and a Department of Workforce Services meeting.

Mary McGann: Attended a Housing Task Force meeting, a Census Complete Count meeting, a Homeless Coordinating Committee meeting, a Solid Waste Special Service District meeting, and met with various stakeholders concerning cleaning up the creek corridors.

Curtis Wells: Attended the Joint meeting with San Juan Co., would like to schedule another for fall and include regional transportation planning.

Terry Morse: Attended a Moab Mosquito Abatement District, Grand Water and Sewer Service Agency meeting, Soil Conservation District meeting, and a Planning Commission meeting,

Evan Clapper: Attended a Trail Mix meeting, a Cemetery Maintenance District meeting, and a Spanish Valley Pathway Committee meeting.

Elected Official Reports (None)

Council Administrator Report

Ruth Dillon reported that she attended a Chamber Luncheon and has been continuing to facilitate the Change in Government Study Committee meetings.

Department Reports

H. 2018 Facilities Maintenance Report (Shawn Fugit, Supervisor)

Shawn presented a report on the activities of the Maintenance department for 2018.

Bill Jackson, reported a laborer was hired, and attended the CIB meeting where Grand Co was awarded \$166,000 for the perfection of D road easements on SITLA land. RFP is out for the Arbor and Hecla subdivisions improvements.

Agency Reports

I. Change in Form of Government Study Committee Update (Stephen Stocks, Study Committee Chair)

Ruth Dillon reported on the activities of the committee in Mr. Stocks stead.

Citizens to Be Heard (None)

Presentations (none)

Motion by Council Member Halliday to bring agenda item Y forward. Motion seconded by Council Member Wells carries 7-0

Y. Discussion on low flying tourist aircraft (Alice Drogin, Castle Valley Town Council Member)

Alice Drogin presented on concerns regarding low flying aircraft in Castle Valley. Site seeing and tourist flights are becoming more common. Asked tour operators to avoid flying over residential portion of Castle Valley. Asked Grand County Council to specify where aircraft may take off and land.

Joe Kingsley commented that he would like people to call him if they see military aircraft in the river corridor.

General Business- Action Items- Discussion and Consideration of:

J. Approving proposed bid award for the re-roof of the Moab Information Center (MIC) (Shawn Fugit, Facilities Supervisor)

Motion by Council Member Hawks to award the bid for the re-roof of the Moab Information Center to Warburton's Roofing and Metal at the discounted post Labor Day amount of \$81,336 and authorize the chair to sign all associated documents. Motion seconded by Council Member McGann carries 7-0.

K. Approving proposed Four Corners Community Behavioral Health, Inc. FY 2020 Area Plan (Karen Dolan, Executive Director, FCCBH)

Motion by Council member Paxman to approve the FY2020 Area Plan for Four Corners Community Behavioral Health, Inc. and authorize all Council members to sign all associated documents. Motion seconded by Council Member Wells carries 7-0.

L. Approving proposed Interlocal Trail Agreement with San Juan County (Maddie Logowitz, Trail Manager, Active Transportation & Trails Division)

Motion by Council Member Wells to approve the proposed Interlocal Agreement (ILA) with San Juan County regarding the planning, development, and maintenance of nonmotorized trails serving Grand

County residents, and authorize the Chair to sign all associated documents. Motion seconded by Council Member McGann carries 7-0.

M. Approving 911 System (Matt Cenicerros, IT Director)

Motion by Council Member McGann to approve the quotes for 911 Equipment and Network costs and authorize the Chair to sign all associated documents. Motion seconded by Council Member Hawks carries 7-0.

N. Approving 2019 certified tax rates (Chris Baird, Clerk/Auditor)

Motion by Council Member McGann to approve the certified tax rates for 2019 and authorize the Chair to sign all associated documents. Motion seconded by Council Member Morse carries 7-0.

O. Approving Grand County School District's Community Liaison and Grand County School District to act as the point person and agency to coordinate efforts to address inter-generational poverty issues in Grand County (Council Member Hawks)

Motion by Council Member Hawks to approve Grand County School District's Community Liaison and Grand County School District to act as the point person and agency to coordinate efforts to address inter-generational poverty issues in Grand County and authorize the Chair to sign all associated documents. Motion seconded by Council Member McGann carries 7-0.

P. Adopting proposed Ordinance approving amendments to the High Density Housing Overlay (HDHO) Ordinance to clarify standards and procedures, and to correct a presumed mapping error in the adopted map, postponed from June 4, 2019 (Zacharia Levine, Community and Economic Development Director)

County Attorney Christina Sloan joined via phone.

Mark Horowitz: Asked that the council ask citizens to avoid setting of fireworks. There is a problem with the notification process for rezone applications. Doesn't think it should be the developer's responsibility to notify. Asked how lot 8 is included in rezone request when precluded by subdivision development agreement.

Jaylyn asked about lot 8.

Zacharia noted that lot 8 had a civil agreement in place precluding further subdivision.

County Attorney Christina Sloan requested that the overlay not include the lot with the plat restriction.

Zacharia noted that the proposal doesn't include expanding the overlay further into lot 8.

Motion by Council Member Morse to adopt the proposed Ordinance approving amendments to the High Density Housing Overlay (HDHO) Ordinance to clarify standards and procedures and authorize the Chair to sign all associated documents. Motion seconded by Council Member McGann carries 6-1 with Council Member Hawks opposed.

Motion by Council Member McGann to remove lot 8 in May Estates and authorize the Chair to sign all associated documents. Motion seconded by Council Member Hawks seconds 6-1 with Council Member Clapper opposed.

Motion by Council Member McGann to correct a presumed mapping error for 1212 S. Jackson St. and authorize the Chair to sign all associated documents. Motion second by Council Member Wells carries 5-1 with Council Member Hawks opposed and Council Member Halliday temporarily out of the room.

Q. Adopting proposed Personal Use Policy, Pursuant to HB 163 (Christina Sloan, County Attorney)

Motion by Council Member Wells to adopt the proposed Grand County Personal Use Policy to be added to the Grand County Employee Handbook, and authorize the Chair to sign all associated documents. Motion seconded by Council Member Paxman carries 7-0.

□ Consent Agenda- Action Items

- R. **Ratifying the Chair's signature on contract amendment No.4 between the State of Utah Administrative Office of the Courts and Grand County for Bailiff and Security Services for July 1, 2019 through June 30, 2020**
- S. **Ratifying the Chair's signature on a contract between Department of Heritage and Arts, State Library Division and Grand County Public Library**
- T. **Ratifying the Vice Chair's signature on thank you letter to San Juan County Commissioners and SITLA leaders for their efforts and travel regarding joint meeting**
- U. **Approving proposed Cooperative Grant Agreement for Noxious Weed Management with Forestry, Fire & State Lands for FY2020**
- V. **Approving application for retail beer license (Bar License) for Castle Creek Winery located at Highway 128 Mile 14**
- W. **Approving application for retail beer license for Scots on the Rocks from November 1-3, 2019, located at Old Spanish Trail Arena**

Motion by Council Member Wells to approve the consent agenda and authorize the Chair to sign all associated documents. Motion seconded by Council Member McGann carries 6-0 with Council Member Paxman temporarily out of the room.

□ **Discussion Items**

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

Bryony Hill presented the calendar items and public notices.

- Y. **Discussion on low flying tourist aircraft (Alice Drogin, Castle Valley Town Council Member)**

Was previously discussed.

- Z. **Discussion on Planning Commission recommendation on a proposed ordinance changing/limiting use rights associated with new overnight accommodations developments, which follows the moratorium established by Ordinance 586 on February 5, 2019. A public hearing for the proposed ordinance is scheduled for July 2, 2019 (Zacharia Levine, Community and Economic Development)**

Zacharia Levine gave an update on the Planning Commissions' progress. The Planning Commission recommends removing OA as a use by right, and at the same time applying 3 possible new OA overlays to existing operations and vested projects.

Discussion was had regarding applying a 4th overlay to existing bed and breakfasts.

Council members Hawks, Morse, and Wells presented a memo indicating their advocacy for including a bed and breakfast overlay and applying it to currently operating bed and breakfasts.

Michael Skarda – Lives near the turn off to 313. Has a business license for an overnight rental. Expressed that where he lives the issues that prompted the moratorium do not exist and suggested land use code changes do not apply to his property.

Joe Kingsley: Recollected that the county made it harder for citizens to build homes in 1976. It is hard to recover from a mistake. Expressed that removing overnight accommodations as a use by right is a "takings".

James Keogh: Owns 7/8 acre in Spanish Valley. Property was split zoned residential/commercial. Uses commercial part for equipment storage. It bothers him that his property rights are in danger of being reduced. Would like his residential property to be a Bed and Breakfast.

Dwayne Stewart: Lives at Rim Village. Represents several HOAs. Built many homes on the Western Slope. Stopping overnight rentals isn't going to help affordable housing problems. Not good to take people's development rights away.

□ **Public Hearings- Possible Action Items**

AA. Public Hearing to hear public comment on proposed ordinance to apply the High Density Housing Overlay (HDHO) to Sandstone Cottages, located at 3058 and 3060 Spanish Valley Drive (Zacharia Levine, Community and Economic Development Director)

Chair Clapper opened the public hearing at 7:05p.m.

Zacharia Levine presented.

Greg Halliday: Asked about open area around lots. Zacharia responded that it will be stormwater and open space.

Terry Morse: Asked about the size of homes. Applicant responded 1000-1500 square feet with an unfinished basement.

Jaylyn Hawks expressed concern about traffic on Spanish Valley Dr.

Zacharia Levine mentioned that the HDHO cap sunsets at 300 units and there are currently 413 applications. Suggested that the council consider raising the cap.

Public hearing open for written comments until June 26th at 5pm

BB. Public hearing to hear public input on a proposed ordinance to amend Ordinance 571 (2017) "Approving a rezone from Rural Residential to General Business" to correct a typo in the legal description (Chris Baird, Clerk/Auditor)

Clerk-Auditor Chris Baird indicated that this amendment was already approved and the public hearing is not necessary.

Motion by Council Member Hawks to suspend the rules and address this agenda item tonight. Motion seconded by Council Member Morse carries 6-1 with Council Member Halliday opposed.

No action taken for lack of a motion.

Adjourn

Chair Clapper adjourned the meeting at 7:28 p.m.

ATTEST:



Chris Baird
Grand County Clerk-Auditor

APPROVE:



Evan Clapper
Grand County Council Chair